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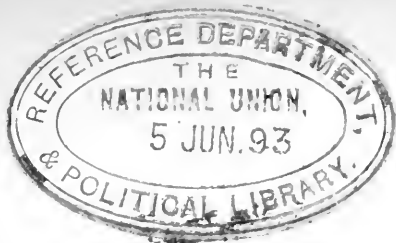
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VISITS TO IRELAND

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BY THE SAME AUTHOR.

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PEEL AND O'CONNELL : a Review of the  
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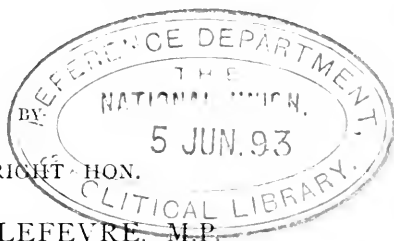
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# INCIDENTS OF COERCION

*A JOURNAL*  
*OF*  
*VISITS TO IRELAND*  
*IN*  
1882 AND 1888

THE RIGHT HON.  
G. SHAW, LEFEVRE, M.P.



LONDON  
KEGAN PAUL, TRENCH, & CO., 1 PATERNOSTER SQUARE  
1888

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## PREFACE.

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**LIBRARY SETS** DURING the last few months I have had many demands from all quarters for a reprint of my letters to the 'Times' describing the dispute between Lord Clanricarde and his tenants in Galway, and the methods of coercion carried out under the Act of last year in that district, and also of some speeches which I have made on the same subject, and on the kindred subject of the dispute on Lord Massereene's property, and the trial of Mr. John Dillon, M.P.

**DEC 26 1940** In lieu of republishing these letters and speeches as they stood, I have thought it better to wait till I should have leisure, after the rising of Parliament, for writing a fuller and more connected account of what I saw and heard in my various visits to the Loughrea district, including that in the year 1882, and also in my visit to the Massareene property, incorporating such parts of the letters and speeches as seemed to lend themselves to this treatment.

**HARDING** As regards the Clanricarde case, I should have been far better pleased to be able to let the subject drop; I have no personal feeling against the landowner of the district,

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whom I have held mainly responsible for the state of things there. His errors are mainly due to ignorance, and to the attempt to direct from London, in every detail, his relations to a vast body of small tenants in a remote district in Ireland, without any personal knowledge of them, and without any appreciation of the rights of those who have been recognised by recent legislation as co-owners with himself of their holdings.

If this dispute had been happily brought to a conclusion I should not have reverted to it, or have again brought before the public the facts in relation to it. Unfortunately, it is still as remote as ever from a settlement. Evictions in wholesale have quite recently been resumed. A whole township has been cleared of its tenants. Twenty-three families have been evicted from their homes. Many of these people and their friends, forty in number, have been committed to trial for resisting these evictions. Others have gone to the workhouse. More recently the houses on their holdings, erected by the tenants or their predecessors, have been razed to the ground, and it is announced that the landlord, admitting that in the present state of public opinion in the district it is hopeless to expect to let the farms, will use them himself for grazing purposes.

Other evictions are announced to follow. Many hundreds of the tenants have already been proceeded against in the County Courts and Superior Courts. Ejectment decrees have been obtained against them, and notices have been issued against them under the Act of last year, which have turned them into mere caretakers. They have lost all their rights under the Land Act of 1881, and they only

await the moment when it will be convenient to the landlord to evict them, or when the Government will be able to lend the forces of the Crown for this purpose.

In this prospect, therefore, it is important that all the facts of the case should be accessible, so that public opinion may be brought to bear upon the dispute with a view to its settlement, either directly between the parties to it, or indirectly by the intervention of the Legislature.

In this view alone I have thought it necessary to state more fully than I have yet done the result of my personal inquiries and experience in the district. In doing so I shall also be able to put on record my personal vindication for the part I took in February of this year, which has been the subject of many attacks on me, in insisting upon my right to hold a public meeting at Loughrea for the purpose of expressing sympathy with the tenants of the district, where others have been less fortunate than myself, and have found their way to prison for attempting this.

It has also afforded an opportunity of describing the working of the Coercion Act of 1887 in a district where probably more prosecutions have taken place than in any other part of Ireland, and where illustrations are to be found of every kind of procedure under it.

In another chapter I have described a more recent visit to Ireland for the purpose of being present at the trial of Mr. John Dillon at Dundalk, and have given the result of inquiries on the spot as to the causes of the dispute between Lord Massereene and his tenants, which was also the motive for the speech for which Mr. Dillon has been prosecuted and condemned. The case so closely resembles the Clan-

ricarde case that it may fairly be considered as part of the same subject.

More recently still I have visited the west of Ireland on the suggestion of persons interested in the dispute on the Vandeleur property in the county of Clare. I have added some pages giving the result of my inquiries there, and others describing the proceedings under the Coercion Act in the town of Miltown-Malbay, where very numerous prosecutions have been instituted against the tradesmen of the town for refusing to supply goods to boycotted persons and to the police.

It will be seen that my account of the proceedings at Miltown-Malbay, and also on the Clanricarde property, differs in every essential particular from that given in a recent work on 'Coercion in Ireland' by Mr. Hurlbert. My account of the Clanricarde dispute was in print before I had read this work, but I have seen no reason for making any change. It appears to me that Mr. Hurlbert has obtained his information in that case mainly from the agent of the property, and in the Miltown-Malbay case only from the police authorities.

I have endeavoured myself to obtain the views of both sides to these disputes. I have made every effort to arrive at the truth of the facts which I relate. Whatever may be the inference drawn from them, I feel certain that the facts themselves will stand the test of a critical examination.

In the Miltown-Malbay case it may appear that I have gone into somewhat minute details ; but I have felt that it is impossible to understand the case or the attitude of the

people there without a full and complete record of even the minor incidents which have occurred there.

The first chapter, giving an account of my visit to Loughrea in 1882, was written and was in print before the proposal was made to Parliament for a Commission of Judges to inquire into the charges of the 'Times' against the leaders of the Irish party—an inquiry which may possibly involve an investigation as to the causes of the crimes committed in this district in 1880-2.

G. S. L.

*October 1, 1888.*

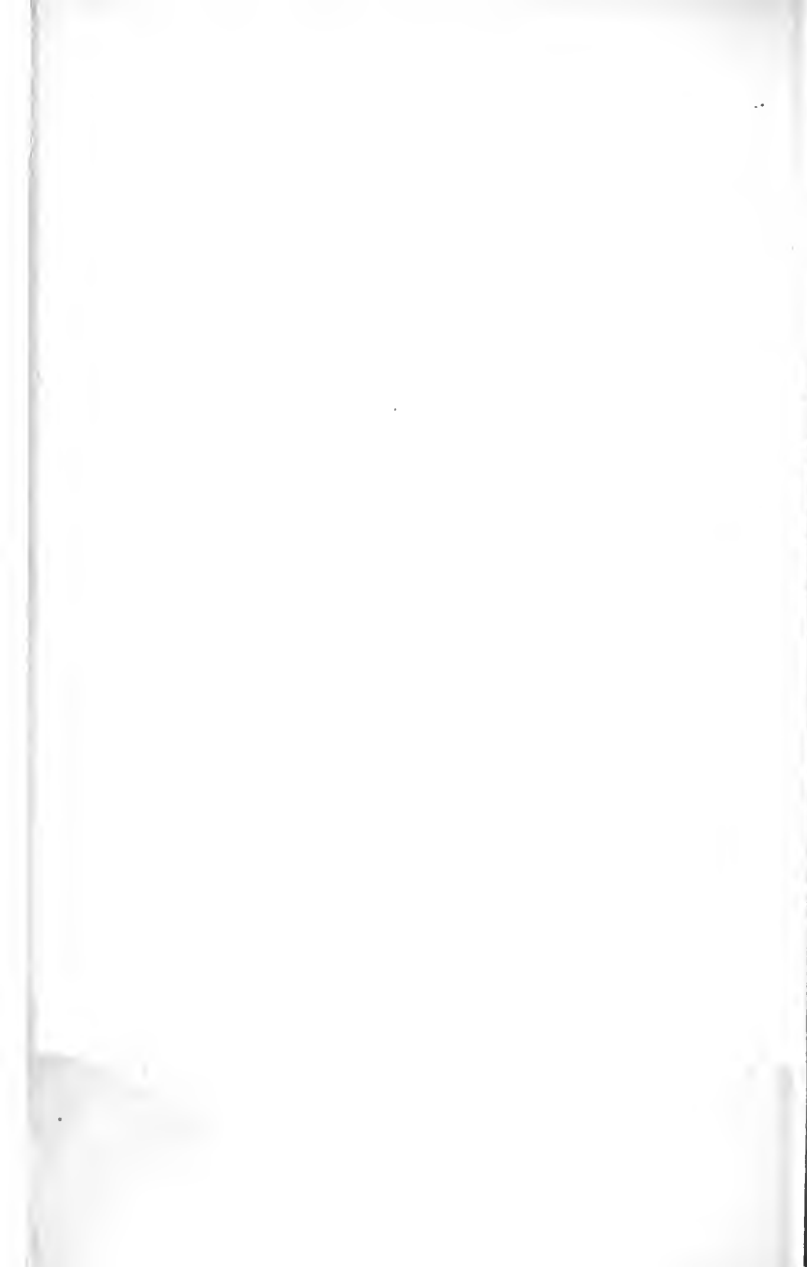




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### *Errata.*

- Page 28, footnote, *for Galway read Kilkenny.*  
,, 89, line 16, *for a solicitor read an official.*  
,, 132, line 3, *for 1839 read 1829.*  
,, 133, line 1, *for seventeen read twenty-five.*  
,, ,, line 2, *for twenty-five read seventeen.*



# INCIDENTS OF COERCION.



## CHAPTER I.

### LOUGHREA IN 1882.

IN January 1882, at the suggestion of the then Chief Secretary to the Lord-Lieutenant of Ireland, the late Mr. W. E. Forster, I paid a visit to that country. Mr. Forster wished me to have an opportunity of forming an opinion on the spot as to many matters connected with the then condition of the country and its administration, with a view to discussions in Parliament.

I spent a few days with him at the Chief Secretary's Lodge in the Phoenix Park. During this time I occupied myself in seeing as many people of different parties and opinions in Dublin as was possible. Unfortunately, my official position as a member of a Government which was enforcing coercion in Ireland precluded the possibility of communication with any representatives of the Nationalist party ; but I met several men of the moderate Liberal type, such as the late Mr. Pim, the late Mr. John Vernon, and his colleague at the Land Commission, Mr. Litton.

The time was one of greatest gloom in Ireland. Most of the prominent leaders of the Nationalists were in prison, under the powers conferred on the Government by the

Coercion Act of 1881. An order had been issued by the Land League advising the tenants of Ireland to refrain from paying any rent to their landlords, until their leaders were released. It was difficult to form an opinion to what extent tenants were acting on this. In most parts of the country it was certainly without any effect. Where landlords made reasonable reductions of rent, to meet the difficulties caused by the bad seasons of 1879 and the two succeeding years, they were obtaining their rents, and the circular of the Land League was without effect. Where arrears had accumulated and landlords were pressing for their full rents, there was a firm determination on the part of the tenants to refuse payment. Many landlords, who would perhaps have been ready to deal leniently with their tenants, were induced by the 'No Rent' circular to press their claims to the utmost. Agrarian crimes and outrages were alarmingly frequent throughout the west and south of Ireland, and since the Coercion Act they had increased in number and gravity. The Land Commission had recently begun its work of reducing rents. The Irish leaders had advised the tenants not to apply for judicial rents in great numbers, but to wait till certain test cases should be decided. This advice, however, was not very generally followed. The decisions of the Commission, and the great reductions of rents, were already giving more or less satisfaction to those who had applied to the Court. On the other hand, many landlords were alarmed at these reductions, and were the less inclined to make any abatement of arrears due to them. By threatening to insist on the payment of arrears, they were able to prevent their tenants going into Court for a reduction of rent.

I found a growing feeling among moderate men, such as Mr. Pim and Mr. Vernon, that the imprisonment of the leaders of the Irish party under the Coercion Act of 1881 was a grave mistake. They held also that the policy



of shutting up, without trial, so many hundreds of the local leaders, under the plea that they were 'village ruffians,' was of little avail in quieting the country. There was reason to believe that, in spite of every care and precaution taken by Mr. Forster, many persons were thus dealt with only to gratify the caprice of the local authorities, or because they were obnoxious to the landlords of the district.

After a few days spent in informing myself of opinions in Dublin, I went, at the suggestion of Mr. Forster, to the West of Ireland, with the object of personally seeing what was then considered the most disturbed part of the country. I was told that my visit would be attended with personal danger, if it were known that I was connected with the Government ; and I was advised, therefore, to preserve a strict incognito, and to avoid especially travelling by night in an open car. Beyond this, however, I took no precaution, and was not under any special care of the police.

I first visited Lord Dillon's property in Mayo and Roscommon. It is one of the largest in the West of Ireland, consisting of 85,000 acres, with about 4,500 tenants. The holdings of the vast majority of these people do not average more than ten acres. They are, in fact, labourers rather than farmers, migrating to England and Scotland during the summer months, either for harvest work or for work in the brickfields and other great works, which require extra hands during a part of the year. They return to their homes in the autumn, in time to dig their potatoes, and do not leave again till after the planting in the spring of the next year.

Their rent is wholly paid out of the earnings which they thus make at a distance from their homes. They are an industrious and thrifty set of men, and, though their standard of living and of comfort is low, their children are very healthy and grow up into strong and vigorous men. The

then depression of agriculture and of trade in England had told very severely on these people. Great numbers of them had been unable to find their usual employment in England, or had returned with very much less than the average of savings. The wet season of 1879, when the potato crop had been a failure and the turf had not dried, had greatly reduced their resources. These two causes had brought them into great difficulties, and they were in heavy arrears of rent.

Lord Dillon's agent, Mr. Strickland, resided in a part of the family mansion, in the middle of one of the largest and most beautiful parks in the West of Ireland. The house, with the exception of the rooms occupied by the agent, was unfurnished and dilapidated. None of the successive heads of the Dillon family have resided there since the beginning of the century. During these eighty years they have drawn their large rental from the district, and have spent it in England. No capital has ever been expended by them in improving their Irish property, unless it were money lent by the State for drainage, for which the tenants have paid interest. Every improvement, which has gradually brought the land into cultivation from its original condition of waste bog, has been effected by the tenants; all the houses and buildings have been erected by them. When Arthur Young visited this district at the end of the last century the rental of the estate was 5,000*l.* a year. This has been gradually increased to 24,000*l.*, the nominal rental when I was there. This, it was stated, was far beyond the real value of the land, and could only be paid out of the earnings saved by the tenants during their yearly visits to England. None of the functions of landowners, as generally understood and acted upon in England, have ever been performed by the Dillon family. They have not, however, followed the example of many other landowners in this part of Ireland in clearing their property of the smaller tenants and turn-

ing the land into large holdings. It is certain that their rent-roll would have been greatly reduced by doing so, as the land is of very poor quality and not fit for grazing. Mr. Strickland told me that in average years, when the tenants could get employment in England, the rents were well paid without deduction, but that in bad years, when the potatoes failed, or when employment fell short in England, it was necessary either to make abatements or to allow arrears to accumulate.

At the time of my visit to this district Lord Dillon had offered no abatements of the rents and arrears then due, and the agent justified this on the ground that the Land Commissioners would certainly make great reductions of rent in the future, which he considered to be unjust and amounting to confiscation, and that the only way of meeting the 'No Rent' circular was to insist upon the full payment of what was due. He said that tenants were refusing to pay rent, and he attributed this to the advice of the Land League ; he admitted, however, that there had been a great failure of employment in England for these migrating labourers, owing to the great depression of agriculture and the bad seasons of 1879 and 1880, and generally to the depression of trade ; and he also agreed that the tenants had suffered from the wet years of 1879-80, when their potatoes had failed and it had been impossible to dry the turf, and that consequently the pressure on them had been very severe. He represented the district to be in a most lawless state ; notices were at the very time posted up, calling a Land League meeting in the park itself, and a large force of police was expected for the purpose of suppressing this gathering. The contrast between this beautiful park and its deserted mansion and the small holdings and cabins with which it was surrounded was very striking.

From Lord Dillon's property I drove to Tuam. I had intended to stop at two or three of the small towns on the

way for the purpose of making inquiries, but there was not a single person to whom Mr. Strickland or the police authorities could recommend me. It was alleged that these small towns were even more disaffected than the country around them, and were the centres of disturbance and Fenianism, and that I could not safely make myself known to any one residing there or obtain information of any value.

At Tuam I made acquaintance with the Catholic Archbishop, Dr. MacEvilly, and had an interesting conversation with him on the state of the country. He was very much opposed to the 'No Rent' circular. He considered it most unjustifiable and immoral and the cause of untold mischief; but he held that a grave error had been committed by the Government in arresting and imprisoning the leaders of the Irish party. He thought that Mr. Gladstone and Mr. Forster should have had greater faith in their own remedial measure, the Land Act. If this were supplemented by one dealing with the arrears of rent, he had the utmost confidence the country would be quieted.

One of the sub-Commissions, presided over by Mr. T. G. McCarthy, was then sitting at Tuam, hearing and deciding cases under the Land Act for judicial rents. I spent the best part of the day in listening to its proceedings, and in watching the keen interest of the tenant-farmers who were present.

From Tuam I drove to Athenry, where I met Mr. Blake, then one of the chief inspectors of the Irish Constabulary, and now Governor of the Bahamas. His wife, a daughter of the late Mr. Bernal Osborne, was an old friend. I drove from Athenry to Loughrea with Mr. Blake. I shall not soon forget the journey. The district we passed through had been the scene of some most brutal agrarian murders. Mr. Blake told me the details of them as we passed near the places where they had taken place. At

one point I observed two armed policemen standing on the opposite side of the road to a small cabin. The former owners of this cabin and its small holding had been evicted for non-payment of rent. A new tenant had been found to take it, and had paid the penalty of his life for doing so ; he had been cruelly murdered a few weeks before my visit. His widow still lived there ; relays of police watched her day and night, and it was alleged that her life would be in danger if these guards were withdrawn for a single hour.

At Loughrea I found myself in the centre of the Clanricarde property, which extends from Athenry to Portumna, a distance of about thirty miles, intermixed, however, with other properties, such as that of Lord Dunsandle, Sir Henry Burke, Mr. Lewis, and others. The whole town of Loughrea itself belongs to Lord Clanricarde. My position as the friend of Mr. Blake, although my name was not known, made it most difficult for me to get information from independent sources. It was not impossible, however, to pick up some facts, even in quarters friendly to the Government and to the landlord interest, which threw much light on the condition of the country.

Lord Clanricarde's property consists of 52,000 acres, with a rent-roll which then amounted to about 25,000*l.* a year. He had never visited the estate since he came into possession of it in 1873, except for the purpose of being present at the funeral of his father. He had drawn this immense income from it without ever expending anything in the way of improvement. He had left uncompleted the great mansion commenced by his father in Portumna Park, a most beautiful and romantic demesne of immense extent.

There were the gravest complaints on the part of the people of Loughrea, even those of his own political party, of his treatment of them. It was said that he refused to do

anything which would tend to the improvement of the district, or the prosperity of his tenants. His action as a landlord was the subject of general complaint. In spite of bad times and the severe depression of agriculture through which the tenants had passed since the terrible year of 1879, Lord Clanricarde had refused any general abatement of rent; he had, however, in response to a demand from the tenantry, promised not to press them unduly, but to allow what rent they were unable to pay to go to a suspense account and to be treated as arrears. It was alleged that he had not kept even this meagre promise, and that the tenants were unduly and harshly pressed for rent. It is fair to add that the rents were not considered to be very high in proportion to those of other landlords in the district. This was made the justification for not making general abatements in bad seasons. The passing of the Land Act of 1881 and the action of the Nationalist party in the issue of the 'No Rent' circular were also put forward as grounds for refusing any concession.

Most of the other landlords of the district were also absentees; and of the few who resided in the county some were represented to be very deficient in those personal qualities and habits which create respect and confidence among the people. In this respect, it was said, there was a very sad contrast with what had, at no distant date, been the condition of the county and its gentry. On my return to Dublin I had a most interesting conversation on this subject with Mr. Burke, the then Permanent Assistant-Secretary to the Irish Government, himself belonging to a Galway family. He deplored in the strongest terms the deterioration of so many of the landlords of that district; he stated that the previous generation had been men of great personal weight and popularity, many of them residing on their estates throughout a great part of the year, and universally respected; but that it was very different with the present generation. He went through a list of them, showing how some of them

were intemperate in their habits, how others had lost the respect of their dependents for other reasons, and how few of them performed any of the duties of landowners, such as are discharged elsewhere by that class. Mr. Burke attributed this change in part to the loss of influence of the landlords, through the centralising system of the Irish Government, and in consequence of political reforms, such as Catholic emancipation, and in part also to their efforts to vie with Englishmen in personal expenditure.

There could be no doubt, from what I heard in the district, that the landlords—whether through ignorance, as absentees, of the true condition of things, or other reasons—had not met the tenants, during the recent bad times, in a reasonable spirit of concession. The tenants were unduly pressed for rent, which they could not pay; abatements were refused; arrears of rent accumulated; evictions were carried out, or were threatened on a large scale; resistance followed; combinations, for the most part secret, took place; outrages and crime became frequent—the work of individuals driven to despair or inspired by small and secret societies.

Nearly a hundred persons had been arrested and sent to prison under the Coercion Act of 1881, without trial, in this district alone—not, I was informed, for complicity in crime, but for alleged connection with combinations not to pay rent. Among these were many of the leading tradesmen of Loughrea, against whom there was no real evidence. Their arrest and detention had not quieted the district, but rather the reverse. The worst outrages and murders took place after the arrest of these people. Meanwhile, the great remedial Act of 1881 had not a fair chance, as the tenants were unable to go into Court on account of the arrears which hung round their necks. It seemed to me that the question of arrears was far the most pressing, and that it was hopeless to expect the district to be quieted until a measure was passed dealing with these arrears.

My visit to the district of Loughrea was cut short by proceedings of a very strange and exceptional character, which opened my eyes as to what was possible under the Government of Ireland. Mr. Blake informed me that he had received instructions from Dublin to search the two towns of Loughrea and Athenry for arms and treasonable correspondence, which there was reason to believe would be found there. For this purpose a large force of military and police were collected, and he proposed to surround the two towns at daybreak, and to execute his task by searching every single house in them.

Telegrams on this subject were passing continually between the local authorities and the Castle, and the morning was already fixed when these proceedings were to take place. I thought it undesirable that, as a member of the Government, I should be present on the occasion, the more so as Mr. Blake thought it not impossible that the proceedings might result in a serious disturbance, and I therefore left Loughrea the day previous to that on which this manœuvre was to be executed.

The operation was carried out on the morning after my departure in the manner intended. The two towns were surrounded by a large force of police and soldiers, and almost every house was entered by the police and searched. Nothing was found in them of the slightest consequence. This, however, was not to be wondered at, for the cipher telegrams which passed between the Castle and Mr. Blake were so ill constructed—only a few of the more important words being in cipher—that nothing was more easy to an intelligent person than to discover the purport of the messages. The head of the post office at Loughrea was said to be in the interest of the Nationalists, and it was thought probable that the intentions of the Government were discovered and made known to the Land League of the district, and, consequently, when the search was made, arrangements



may have been taken to make it fruitless. That such proceedings should take place in any part of the United Kingdom, that they should be submitted to without disturbance, and that no notice should be taken of them by the English press, impressed me not a little.

My observations in this district, added to the information and opinions I had obtained at Dublin, led me to a conclusion that the policy of 'Coercion,' as carried out under the Act of 1881, was a grave error; and that more especially mistaken had been the arrest and imprisonment, without trial, of the leaders of the Nationalist party. These measures had greatly aggravated the position, and had prevented the great remedial measure, the Land Act of 1881, from having effect in quieting the country. This Act, however beneficial as regards the future, was defective as regards the past, in not having dealt with the question of arrears of rent. So long as these accumulated arrears hung round the necks of so large a proportion of the smaller tenants, placing them completely at the mercy of their landlords, and preventing them from going into the Land Court for a reduction of future rent, it seemed to me to be impossible to expect order to be restored or the tenants to be satisfied.

On the other hand, I was equally impressed by the mischief effected by the issue of the 'No Rent' circular. It had greatly aggravated the condition of the country. It was used as a justification by many landlords for refusing to make abatements and for pressing for arrears. On my return to Dublin I pressed these views on Mr. Forster. I told him that, in my opinion, the wise course would be at once to release all the suspects from prison, and to apply to Parliament for a measure to relieve the tenants from the great arrears of rent which had accumulated during the bad seasons of 1879-81; and that subject to these two measures, it would be possible to support the landlords to the utmost

power of the ordinary law against the 'No Rent' circular.

The agrarian outrages, I contended, had their origin in the agrarian difficulty, and this arose chiefly from the action on the part of many landlords in pressing for arrears of rent. I held that when this difficulty was removed, and when it was made clear and certain that the Government would, subject to this and to the Land Act, support the landlord in the collection only of just rents, the 'No Rent' circular would be defeated and agrarian outrages would cease ; but that, as a first condition to a better state of things, the suspects should be let out of prison, with the exception of those against whom there was certain evidence that they had been connected with actual crime.

I was unable to convince Mr. Forster of this view of the position. He said that the Government was quite unable to devote any considerable part of the time of the coming session to another Irish measure such as one for dealing with arrears, and he disagreed with me as to the policy of releasing the suspects.

My visit to Ireland on this occasion suggested to me for the first time grave doubts whether the system of administration of that country, known as the Castle Government, and its relations to the Imperial Parliament, were beneficial or defensible. The logical sequence of events was clearly brought home to me. The neglect of remedial measures for Ireland by the Imperial Parliament was due to want of knowledge and want of time. This neglect and delay resulted in disturbances and outrages of an agrarian character. These outbreaks were seized on by the Irish officials as an excuse for their old familiar policy of Coercion. Coercion was used locally in the interest of landlords to support their extreme rights, and consequently only aggravated the evils, and led to an increase of outrages. I came to the strongest conclusion adverse to Coercion, and I determined

that I would not myself be responsible in the future in any position connected with the Irish Government for renewing or carrying on a policy founded on Coercion.

I did not, however, at the time I speak of, formulate any views distinctly favourable to Home Rule. But what I then saw induced me to study Irish history from a different point of view than I had previously done, and in the course of the following two or three years my views as to Home Rule underwent a gradual change, which ripened into conviction on the subject in 1885.

In the debate on the Address at the opening of the session of 1882, I spoke on the subject of the 'No Rent' circular, and I denounced it in the strongest terms I could use ; and I held that in face of such a circular the landlords were justified, subject to due consideration in abatement of arrears, in putting in force their rights, and that the Government was justified in supporting them in so doing. I was unable, however, on account of my connection with the Government, to develop other points in the policy which I had recommended to Mr. Forster—namely, the abandonment of Coercion, the release of the suspects, and the passing at once of a measure relieving the tenants from arrears of rent.

My speech, on the occasion to which I refer, led to a misapprehension of my views in Ireland, and was the cause of severe attacks against me in the Irish papers ; and I was unable to defend myself in the House of Commons or elsewhere by stating fully the policy which I had considered should be adopted.

A few weeks after my visit to Loughrea, Lord Clanricarde's agent, Mr. Blake, was brutally murdered. He was driving into Loughrea with his wife and a servant on an Irish car on a Sunday morning. About half a mile from the town two shots were fired at the car from behind a stone wall, and both Mr. Blake and the driver were killed on the spot. The body of the former fell from the car and the horse

proceeded slowly on its way to the town, Mrs. Blake being too agitated to take the reins or even to explain to others what had occurred. Mr. Blake was seventy years of age, and had filled the post of agent for many years, and till within a recent period had been not unpopular in the district. Great complaints, however, were prevalent as to his conduct to the tenantry during the two years previous to the murder. It was said that he was personally responsible for the refusal of Lord Clanricarde to make any abatement of rent during this period of depression. His widow desired to vindicate his memory against these charges by publishing his correspondence with Lord Clanricarde, with the object of showing that he had acted on all occasions by the orders of his employer, and contrary to the advice which he had himself often given, and that he had received express instructions from Lord Clanricarde to insist upon the payment of full rent in spite of his own recommendation to make abatements. Lord Clanricarde, on being informed of Mrs. Blake's intention, moved in the Court of Queen's Bench in Dublin, and obtained an injunction prohibiting her from making any use of her husband's correspondence.

In the early part of the session of 1882 there occurred the crisis in the Government which resulted in the resignation of Mr. W. E. Forster. Negotiations were entered into between the leaders of the Irish party then in prison and Mr. Chamberlain. It was represented to the Government that if the suspects were let out of prison, and if a measure dealing with arrears of rent were passed, the leaders of the Irish party would use all their efforts to quiet Ireland.

The Government decided to act on this in spite of the ultimate objections of Mr. Forster, who opposed not so much on the ground of principle, that it was wrong to negotiate in any way with the Irish leaders, as that definite terms of a more complete and satisfactory character, and

distinct pledges for good conduct in the future, should have been exacted from them before they were let out of prison. He resigned his post. Lord Frederick Cavendish was appointed in his place. Lord Spencer had already replaced Lord Cowper as Lord-Lieutenant. His appointment in that capacity, with Lord Frederick Cavendish as the Chief Secretary, was accepted by the Irish people as an indication of a policy of conciliation and a reversal of that of Mr. Forster. Their arrival in Dublin was hailed with popular demonstration and great rejoicing, to be dashed to the ground again the same night by the terrible murders of Lord Frederick Cavendish and Mr. Burke in the Phoenix Park.

No more unfortunate or disastrous event ever occurred to Ireland. There can be no doubt it was deeply deplored and condemned by the leaders of the Irish party. It caused an immediate revulsion of public opinion in England. It appeared to justify all that had been said against the policy of conciliation and agreement with the Irish leaders. It necessitated an immediate application to Parliament for coercive powers of a kind differing in method and degree from the Act of 1881. No Government could have remained in office for a day, which was not prepared to propose some such measure.

I thought then, and still think, that it would have been wise to consult with the Irish leaders as to the measure which should be adopted. They were prepared, I believed, under the exigencies of public opinion at the moment, to concede much in the direction of an exceptional measure, to secure the punishment of the murderers in the Phoenix Park tragedy, and to suppress disorder in Ireland. It would not have been difficult to obtain their co-operation in the framing and passing of such a measure.

It was held, however, to be impossible to dally further with the Irish party. Public opinion in England would not

have borne an agreement with men who, for the moment, were held responsible for what had taken place. The Government were carried away by the popular demand for a strong measure, or were unable to resist it. The Coercion Act of 1882 was passed in the face of the violent opposition of the Irish members. As originally proposed, it was too mild for the House of Commons, and important clauses increasing its severity were carried against the will of the Government.

Apart from this measure, the main lines of the policy, which I had advocated on my return from Ireland, were now carried out. The suspects were released from prison. A measure dealing with the arrears of rent was proposed to Parliament and was carried. It is still held in some quarters that the improved condition in Ireland which followed from the middle of 1882, and which lasted till the autumn of 1885, was due to the Coercion Act of the former year, and to the wise and firm administration of it by Lord Spencer. My own belief has always been that it was mainly due to other parts of his policy, its remedial side—namely, to the Arrears Act—which removed for the time the agrarian difficulty, stopped the evictions which were taking place for arrears of unjust and impossible rents, put money into the pockets of many needy landlords, enabled thousands of tenants to go into the Land Court and obtain large remissions of rent, and was the immediate cause of the reduction of agrarian outrages.

If this view be right, the Coercion Act of 1882 was an impediment to the restoration of peace in Ireland rather than the cause of it; and it would have been far better if it had not been passed, or if it had been limited, as might well have been done, to what would have been conceded at the time by the Irish leaders. The severer clauses of the Act were never in fact put in force.

Whatever may be the proper conclusion on these points

of policy, there can be no doubt that the agrarian position was immensely improved between the years 1882 and the autumn of 1885. The Arrears Act was a most successful measure. It was carried out with a rapidity which did infinite credit to its authors and to those who were entrusted with the execution of it. An immense number of the smaller tenants in Ireland were relieved by it, and for the following three years rents throughout the greater part of that country were collected with less difficulty and with smaller deductions, even in cases where the Land Commissioners had made no awards, than was generally the case during the same period in England and Scotland.

## CHAPTER II.

## LOUGHREA IN 1886-7.

IN the autumn of 1885 a new agrarian difficulty commenced in Ireland; this time it had its origin, not in the failure of crops or in bad seasons, but in the great fall of prices of agricultural produce, affecting specially stock and dairy products, and making it impossible for the bulk of farmers, whether large or small, to pay their full rents, even their judicial rents as reduced by the Land Commissioners.

The Irish tenants, however, as a rule, paid their rents for 1885 in the hopes of better prices, and the difficulty as regards rent did not culminate till the autumn of 1886. Many landlords of Ireland then met the crisis by conceding large abatements of rent, even of judicial rents. The reductions ranged from 20 to 30 per cent., and even in many cases 40 per cent.; a difference of 5 or 10 per cent. being generally made in the abatements of judicial and non-judicial rents. The Land Commissioners showed their appreciation of the great fall of prices, for their decisions in the year 1886 as regards judicial rents averaged 20 per cent. lower than those given in 1882-4 as compared with Griffith's valuation. In the autumn session of 1886 the Irish representatives made a strong appeal in Parliament for legislation to meet this serious state of things, to shorten the period of judicial rents, and to enable those who had obtained decreases in 1882-4 to re-open the question, and



also to enable leaseholders to apply for judicial rents. The Government of Lord Salisbury met their demands with a direct refusal. They denied that there had been any such fall of prices as justified the reduction of judicial rents. The utmost they would do was to appoint a Royal Commission, with Lord Cowper as its head, to inquire into the subject of prices, and to report as to the condition of the Irish tenants. This Commission, which reported in the early part of 1887, fully confirmed the case which had been made by the Irish members, and advised that judicial rents fixed before the year 1885 should be reduced.

The intervening autumn and winter had been a period of great difficulty throughout Ireland. The Chief Secretary, Sir M. Hicks-Beach, having refused the constitutional demand of the Irish members in Parliament for legislation, went over to Ireland after the session was over, and very soon found that the condition of things there was such that he was compelled to bring all the influence of the Government upon landlords to induce them to make abatements of their rents. The greater number of landlords were already responding to the exigencies of the time, and were making abatements of rent; but, as always happens, a large minority of landlords, whether through ignorance or want of means, were unwilling or unable to make any abatements of rent, and were pressing their tenants for full rents by threats of eviction.

In the Loughrea district Lord Clanricarde set the bad example of refusing to make any abatement of rent to his numerous tenantry, and his course was followed by other landlords of the district. Very few of Lord Clanricarde's tenants had gone into Court and obtained judicial rents, partly because their rents were not very greatly in excess of the judicial rents as fixed by the Commissioners in 1882-4; partly also because the agent had made it a point of policy in the management of the property to appeal in every case,

thus adding greatly to the cost of obtaining the judicial rents, and deterring his tenants from entering the Court; and partly also because it had been the practice of the estate to allow arrears of rent to accumulate, which were used as a means of preventing tenants going into Court, by threats of insisting on payment of back rents. The rents, however, which, so far as I could ascertain by local inquiry in 1887, averaged about 10 per cent. above the judicial rents of from 1882 to 1885, were fully 25 to 30 per cent. above the judicial rents of 1886, and it was certain that the bulk of the tenantry in the neighbourhood of Woodford and Loughrea were quite unable to pay them. Difficulties of a most serious character, therefore, arose in the autumn of 1885, and Mr. Joyce, who had succeeded Mr. Blake as agent of the property, found it expedient to advise his employer to make abatements of rent.

The tenants in the neighbourhood of Woodford met together and signed a petition to Lord Clanricarde praying for an abatement of rent, and offering to pay, subject to a reduction of 25 per cent. The petition was signed by their parish priest and by the coadjutor-bishop of the diocese, Dr. Healy, a prelate whose views on agrarian questions were known to be rather favourable to the landlords, and who differed in this respect from the Bishop of Clonfert and most other members of the Catholic Episcopacy.

In forwarding the petition to his employer, Mr. Joyce expressed the opinion that an abatement ought to be conceded, as other landlords in Galway were making reductions. Lord Clanricarde, whose very address in London was unknown to his tenants, and who was as much an abstraction to them as if he had lived in the planet Saturn, made no reply whatever to the petition; he reprimanded his agent for forwarding it to him, and declined to follow his advice. 'You must,' he wrote, 'at once, without losing a second of time, take full and drastic measures to recover the amount

of rent due.' From other correspondence with his agent it would appear that he regarded the Land Act of 1881 as an unjust invasion of his rights of property, justifying him in pressing what remained to him to their fullest extreme. Living in London, knowing nothing personally about the property, caring little for the effect of his decision, and incurring no personal risk himself for any conclusion he arrived at, he nevertheless left no discretion whatever to his agent, and considered himself able to direct the management of the estate in its minutest details, and to interfere in every point concerning it.

All these details of management, his relations to his agent, and his refusal to grant an abatement of rent, became matters of public knowledge by the merest accident, in consequence of a speech which I had myself made in the debate on the Address in the House of Commons in the session of 1887. After my visit to Loughrea in 1882, I had always watched with interest the proceedings in that district, and had kept myself informed from time to time of what took place there. I had ascertained on authority, which I did not doubt, that Mr. Joyce, Lord Clanricarde's agent, had been called as a witness before Lord Cowper's Commission, and had given evidence to the effect that he had advised his employer to make a general abatement of rent, and that his advice had been refused, and that he had further expressed his opinion that if this remission had been made the country would have been quiet. In a speech on the Address I adverted to this subject. I told the story of Lord Clanricarde and his agent, to illustrate the case of a great absentee proprietor refusing to do that which his representative on the spot considered to be essential in the interest of peace and order in the district and of justice to the tenantry, and I used it as an argument in favour of legislation on the subject of arrears of rent. In another speech at Oldham I had also adverted to the same subject,

and had further illustrated my argument by referring to the fact that Lord Clanricarde had for some years drawn from his property an income of about 20,000*l.* a year without doing anything for his tenants in the way of improving his property.

Lord Clanricarde thereupon wrote to the 'Times' to say that my statement with respect to the advice of his agent was a falsehood ; that, so far from being true, the fact was that his agent had told him that his tenants were engaged in a strike against the payment of any rent ; and he also wrote to an Oldham paper to the effect that my statement with respect to the income he had drawn from his Irish property was a lie, and that he had never in any one year received from it from 18,000*l.* to 20,000*l.*

His agent, Mr. Joyce, considered that the publication of these letters was calculated to do him serious injury, and he called upon Lord Clanricarde to make some explanation. 'This year,' he said in one letter, 'is a bad one, and every landlord is giving an abatement. . . . I consider it most unfair that the whole blame of your not having granted any abatement, when other landlords are doing so, should fall on me.' And in another letter he begged to remind his lordship that in each of the years 1883 and 1884 he had paid into his lordship's account at Messrs. Ransome and Co.'s a larger sum than 20,000*l.*

Lord Clanricarde not only refused to withdraw his statements, but called on Mr. Joyce to write him a letter, contradicting my statement, for publication. Mr. Joyce refused to do this, resigned his agency, and brought an action for libel against his employer, founded on the letter to the 'Times' stating that he had advised that the tenants were engaged in a 'No Rent' agitation. In the trial which ensued in this libel case at Dublin in the autumn of 1887 the whole facts were elicited. The correspondence fully proved all that I had said. It showed that Mr. Joyce had advised his employer

to make abatements, and that Lord Clanricarde had refused to do so. It showed that I had understated the amount which Lord Clanricarde had drawn from this property, and the evidence proved conclusively that he had received in the two years 1883 and 1884 the immense sum of 47,000*l.*, a larger proportion of the nominal rental of 25,000*l.* than probably any other landlord in the United Kingdom had been fortunate enough to receive. In summing up the evidence, Chief Baron Palles said that Lord Clanricarde's conduct to his tenants had 'aroused the indignation of the empire,' and even the London '*Times*,' in commenting on the case, said that the evidence showed 'that Lord Clanricarde had treated his tenants with incredible baseness.' The jury gave a verdict in favour of Mr. Joyce, with very heavy damages against his late employer.

The inquiry was most opportune, for it opened the eyes of the public in England to the real condition of things in that part of Ireland and to the causes of disturbance there. In the meantime, and before the resignation of Mr. Joyce, most serious events occurred on the property. The Woodford tenants, finding their applications for a reduction of rent treated with a contemptuous indifference, and not even answered by Lord Clanricarde, entered into a strict combination to resist the landlord's demand for payment of full rents. The case is of the utmost importance in the agrarian history of Ireland. It was the first occasion in which the tenants of a large property entered into an open combination against their landlord. The movement was a purely spontaneous one, and of indigenous birth and growth; it was not prompted by any of the leaders of the National party. The combination of these tenants was the legitimate outcome of the position where, on the one hand, was a great landowner with gigantic means, unapproachable and beyond the reach either of prayers or imprecations, of injury or threats, and, on the other, of a vast number of small tenants,

each of whom alone would be powerless against the despot, and who, taken singly, would have certainly succumb to the threat of eviction, or be cleared out of their last penny, or even of the stock necessary for the cultivation of their holding, but who united might be strong enough to induce or compel their landlord to come to reasonable terms.

Who can wonder that under these circumstances the tenants should combine to protect themselves and their property? Strictly speaking, the occupiers of land in Ireland, whom we call tenants, are not tenants in the English sense of the term; under the Act of 1881 they have been recognised as co-owners of the land with the landlords. The terminology of the English land system, which is based on the universality of landlords and tenants, is no longer applicable to the Irish system, where the occupying owner and the non-resident or rent-receiving owner are co-proprietors. The determination of the relative interests of these co-owners is the problem of the Irish land question. When a grave and permanent fall in prices occurs, the question arises whether the whole of this loss should fall on the one, or whether it should be shared by both. If the law for the moment should hold it to fall upon the occupying owner, common-sense and a finer regard for equity would concur in holding that it is most unfair that the whole loss should fall on one co-owner, and that it is only right that the other co-owner should bear his share in the loss. In this view the claim made by the tenants was not merely of an eleemosynary character, an appeal for indulgence, but was founded on an equitable consideration of mutual rights. It was equally put forward on behalf of those tenants who by reason of their poverty could not pay their full rents, and by those who by reason of their industry or thrift in the past had saved money for their old age or for the support of their families.

The traditional practice on Irish estates has been to treat all tenants in the same manner as regards rent when any common disaster, in the shape of bad seasons or low prices, has made an abatement of rent reasonable and just. It has not been the custom to say to the many who are unable to pay the full demand that they shall have a remission of rent, but to the few who are able, by reason of their past prudence, skill, and thrift, to pay if pressed, that they must draw upon their small hoards in order to meet the full legal liability of rent. Equality of treatment, under circumstances of common causes of loss, is the very essence of sound policy in the management of landed properties, even in England. Still more is this the case in Ireland, where the claim can be based on the right of occupation as co-owners, on a footing equal in point of law and historical origin to the right of ownership of the landlords.

It was on these considerations that the combination of the tenants of Lord Clanricarde, as in many other cases was based. They all entered into a common agreement to stand by one another and to resist to the utmost the claim for full legal rent, which they held, and rightly held, to be unjust under the altered economic conditions of the time. It was an essential feature of the combination that the stronger and better circumstanced among the tenants would stand by the weaker, and would not by yielding weaken the force of the whole body as against the landlord ; and, further, that if some should be evicted in defence of the common cause, no final arrangement should be come to by others, unless it should involve the reinstatement in their holdings of those who had in the early stages sacrificed themselves for their fellow-tenants, by incurring and enduring eviction. It is all-important to appreciate this condition as to the evicted tenants, for it is the rock on which many arrangements with landlords have come to grief. It is the point

on which many landlords have been to the very last most unwilling to give way, and it still forms one of the main difficulties of any final agreement between Lord Clanricarde and his tenants.

Whatever may be the legal right of the tenants or co-owners to combine together for common protection of their property—and it would seem that the Irish Courts have laid down that the mere combination is an illegal conspiracy, even without the adjuncts which, under the Plan of Campaign, have made the combination of questionable morality in the eyes of many people—it may be fairly asked how and by what other process people under this condition could find protection for their interests created by their own industry and sanctioned by law? and how could they stand up against such a landlord as Lord Clanricarde?

For my part, I have always felt that the combination under the circumstances was justifiable and necessary, and was the only means by which the occupiers of this district could protect themselves and their property against such a man as their landlord had proved himself to be. The case was very analogous to that of combination of workmen against their employers, and should be judged by similar considerations. A combination may be just and necessary, or may, on the other hand, be unjust and unnecessary, and public sympathy is given to either side as the equities of the particular case may lie. In the dispute now under consideration the equities of the case were, and still remain, unquestionably on the side of the tenants.

Lord Clanricarde and his agent met the combination with boldness, and with the full determination to break it down by means of all the force with which the law would arm them. A large body of constabulary, more than 500 in number, was collected together, with the sanction of Sir M. Hicks-Beach, for the purpose of enforcing the evictions on the Woodford



property. The tenants met the attack by every means in their power, short of actual armed resistance. They placed every impediment in the way of the police. They blocked up the roads with trees; they broke down the bridges; they barricaded the houses and made them as far as possible into little fortresses. Thousands of persons collected together to demonstrate against the evictions, and stood by while the police endeavoured to effect an entrance to the houses which had been selected by Mr. Joyce for the first attack. The farms were garrisoned by a number of young men of the district, who assisted the owners in resisting the physical entry of the police. The bailiffs and police were not deterred from doing their duty. They attacked the houses, crept on to the roofs, and effected an entrance as best they could. The inmates threw boiling water from within. It does not appear that any of the police or bailiffs were seriously injured by this. The people are said to have been under the impression that this kind of resistance was permissible by law. They stopped short of personal violence, and their resistance was rather that of obstruction.

By immense exertions, and at a very considerable cost to the State, in the hire of cars to convey the bailiffs and the police on their campaign of eviction, four or five of the tenants were finally ejected from their houses. For this resistance seventy-five young men of Woodford, of good character, were summoned before the magistrates, and were committed for trial at the next assizes for the offence of violently resisting the officers of the law. Bail was refused for them, and these men were sent to prison for many weeks, during which they were treated as common prisoners, and were herded with criminals, pending the trial of their cases at Sligo.

At the assizes the juries empanelled to try these men were deliberately packed by the Crown officials, in the

sense that every Catholic, of whatever position in life he might be, was challenged, and the juries sworn to try these men were composed solely of Protestants, who in that part of Sligo necessarily meant men in the interest of the landlords. By means of these packed juries, the greater number of the Woodford men were found guilty of the charge of resisting the bailiffs in the execution of the law, and were sentenced to most severe terms of imprisonment with hard labour, varying from six months to eighteen months.<sup>1</sup> Chief Baron Palles, who inflicted these sentences, was apparently not then in possession of the knowledge which, as already stated, induced him at the subsequent trial, in the action between Lord Clanricarde and Mr. Joyce, to say that the action of the former to his tenants had aroused the indignation of the empire. Had this learned judge known as much of the case as he did later, it may not unreasonably be supposed that the sentences would not have been so severe.

These young men, however, had not acted as they did, and did not go to gaol under these severe sentences, without effect on public opinion. The Woodford evictions aroused public attention to the case of the tenants through the length and breadth of England. The Irish Government could not then support the odium of sending another army of police to support further evictions on this property. Every influence, therefore, was brought to bear on Lord Clanricarde to induce or compel him to make abatements of rent to his

<sup>1</sup> Galway Gaol was overcrowded by these numerous prisoners, and an epidemic broke out among them. One of them, a young man named Larkin, became seriously ill and was cruelly neglected. He died in prison without the solace even of a minister of his religion, and untended and uncared for by any relative or friend. His father, on returning home from the funeral of the son, found a writ of ejectment waiting his arrival. A coroner's jury found that Larkin died from the neglect of the prison authorities, but no further notice was taken of the matter by the Government at Dublin.

tenants, and to come to a reasonable settlement with them. Sir M. Hicks-Beach, the Chief Secretary, sent for Mr. Joyce, and gave him to understand that the Government would not lend the forces of the Crown for the purpose of assisting Lord Clanricarde in carrying out further evictions unless a reasonable abatement of rent was made. Lord Clanricarde, on receiving information of this interview, wrote a letter of remonstrance to the Chief Secretary. 'My agent, Mr. Joyce,' he wrote, 'informs me that you sent for him and desired him to inform me that the Government would not carry out another eviction on my property until I gave back to the tenants an allowance on payment of their rents. I at first concluded that my agent must have invented so incredible a message and was playing into the hands of the Land League. . . . I must ask you to be good enough to let me know—1. If my agent's statement in question is correct; 2. As I have every wish to facilitate, as far as I can, the Government's (I fear feeble) efforts to govern Ireland, . . . can I trust the Government to support me in carrying out new evictions (should they be necessary) if I give back 20 per cent. on the rents due the 1st of November?'

To this the Chief Secretary replied in terms such as have been seldom, if ever, written by the head of the Irish Government to a landowner since the days of Thomas Drummond's celebrated letter to the Tipperary magistrates, in which he first used the famous aphorism, that 'property has its duties as well as its rights.' In this letter, while disclaiming the interpretation given to his personal statement to Mr. Joyce, that he would absolutely refuse the use of the forces of the Crown in support of Lord Clanricarde's evictions, he said: 'I stated to Mr. Joyce, as I have to many others, my strong objection to anything like wholesale evictions, and my opinion that, when it became necessary to proceed to eviction in order to maintain the rights of property, the

proper course was to select a few leading cases in which the tenants were able but declined to pay. . . . I then questioned him as to the ability of your tenants to pay their rents. He replied that he thought some of them could do so, but, on pressure from me, he admitted that he had advised you to make considerable reductions to others, though so far without success. I requested him to inform your lordship that if you adhered to that decision against the advice of your own agent, and contrary to the general action of Irish landlords, the responsibility would be solely yours ; that you might find further proceedings costly and ineffective ; and that, in the event of application to the Government for the services of constables and military on such occasions, compliance with the request would certainly be retarded by the pressure of other claims and duties, and would most probably be postponed to the utmost extent permitted by law . . . ;' and in reply to Lord Clanricarde's question, whether in the event of his making an abatement of 20 per cent. the Government would lend him the support of the forces of the Crown for his evictions, the Chief Secretary declined to express the opinion that even this would be sufficient, and pointed out that the Land Commissioners were making even greater reductions in cases which had come before them for that estate, and that other landlords were making even larger abatements.<sup>1</sup>

It may be doubted whether the offer of Lord Clanricarde, if made to the tenants, would at this late period have satisfied them or have effected a settlement ; but it is certain that if it had been made in the previous year, when the dispute first arose, and when the tenants had petitioned for abatement and had offered to pay, subject to an abatement of 25 per cent., an arrangement would have been effected on

<sup>1</sup> Letter of Sir M. Hicks-Beach to Lord Clanricarde of Oct. 25, 1886, printed in the *Times*, Dec. 10, 1887.

those terms, and all the unfortunate and disastrous events which have occurred in the interval—namely, the combination and the evictions and the imprisonment of the seventy-five young men, and all subsequent proceedings under the Coercion Acts—would have been avoided. This was apparently the opinion of Chief Baron Palles in the libel case. He pointed out that the tenants might be expected to ask rather more than they were prepared to accept, and he showed that there was all the difference in the world between a ‘No Rent’ agitation and a combination for a reasonable abatement of rent, such as that of the Woodford tenants.

Many months elapsed between the date of Sir M. Hicks-Beach’s last letter in November 1886 to Lord Clanricarde and the next attempted proceedings of the latter against his tenants. The Chief Secretary never again, during the remainder of his tenure of office, lent the forces of the Crown to a renewed action against the tenants of this district. It appears also that the offer made by Lord Clanricarde to the Chief Secretary of an abatement of arrears of 20 per cent. was never made to the tenants themselves. The offer made to them through Mr. Joyce was very different, and was most inadequate. The dispute with the tenants had then lasted more than a year, and one full year’s rent was then owing besides the usual hanging gale, or the half-year’s rent payable six months after it was due. The offer made through Mr. Joyce was that, if the tenants would pay in full the year’s rent then due and payable, he would make an abatement of 20 per cent. on the rent payable six months later. In other words, an abatement of 20 per cent. on a single half-year’s rent, not then payable, was all that was offered. A more preposterous and absurd offer could not have been made. In the correspondence laid before the jury in the libel case there is a letter from Mr. Joyce explaining to his employer that this

offer was nugatory, and could not possibly be accepted by the tenants ; and in his reply Lord Clanricarde positively declined to make any further concession, and said that any abatement of past rent would be 'a swindle as against himself.' Mr. Joyce, in an interview which I had with him on my subsequent visit to the district, told me that he could not make Lord Clanricarde understand the effect of his offer, or that it was illusory as a means of effecting a settlement—another illustration of the effect of absenteeism, and of the evil results of a great landowner endeavouring to manage his property from London, against the advice of his local agent.

In October 1886, after the evictions already referred to, and after the Sligo convictions, the tenants of the Clanricarde property in this part of Galway, including those of Loughrea and Portumna, by the advice of Mr. Dillon and Mr. O'Brien, organised a more thoroughly complete and definite combination, and adopted what is known as the 'Plan of Campaign.' The previous combination already referred to was of a somewhat loose character ; there was nothing to prevent any tenant who was a party to it breaking away at any moment when threatened with legal proceedings by his landlord ; there was no security to those who resisted and suffered eviction that they would receive any support from their fellow-tenants until a general settlement should be effected, or that their reinstatement would be made a condition of the final settlement. Under the combination known as the Plan of Campaign, the parties to it agreed to pay their rent, subject to what they then considered a reasonable abatement, into the hands of some outsider, in the confidence of all the tenants ; this money was to be used for the purpose of maintaining the evicted tenants until a settlement should be arrived at ; when the final arrangement should be come to, the balance was to be handed over to the landlord.

It is obvious that such a plan gives to the majority of a combination a great hold over their weaker members. A tenant, who pays 60 per cent. of his rent to the fund thus constituted, gives this security for remaining true to the combination ; he is little likely to have the means of paying another full rent to his landlord, even if he should, under the pressure of eviction, be induced to do so. It also gives great confidence to those who are first attacked by the landlord, and who suffer eviction for the common cause. They are assured of subsistence out of the fund thus created ; they have security that no settlement will be arrived at, which does not provide for their reinstatement.

It must be admitted that there are features in the combination known as the Plan of Campaign which make it distinctly illegal. Whether by the law of England a simple combination of tenants collectively to refuse payment of rent, and to put their landlord to the necessity of evicting any or all of them, with an agreement to stand by one another in such event, is illegal, has been questioned by many able lawyers. The case has never been decided in the English courts. There are many reasons for thinking that, under decisions in analogous cases, such a combination would not be held to be a criminal conspiracy ; but the law relating to conspiracies is very obscure, and much is left to the discretion of the judges ; and judge-made law in cases of this kind is not always of the best, and is not unfrequently in conflict with public opinion.

Whatever, however, may be the law on the subject, it is for a jury to decide on the facts, whether there has been a conspiracy ; and there would be little chance of a jury agreeing to a verdict against the parties to such a combination. This may account for the fact that no such case has been as yet tried. In Wales at the present time there

are combinations of this character among the tenant farmers to resist the payment of tithes ; but no attempt has been made to try any of the persons concerned in them for criminal conspiracies, and it is most improbable that any Welsh jury could be found to convict. The collection, however, and payment of rent, *quâ* rent, into a fund beyond the reach of the landlord, and the use of it for the purpose of resisting the landlord, is the feature which, according to the best views I have been able to ascertain, gives a more certain illegal aspect than attaches to the simpler form of combination. The essence, however, of both transactions remains the same—namely, the combination of tenants to refuse the payment of full rent, and to put the landlord to the onus of eviction.

It is all-important to recollect that the Plan of Campaign was in the Clanricarde case, as in many others, the last refuge of a people driven to despair, who could expect nothing from their landlord, and against whom all the forces of the State were being used to enforce evictions which public opinion of the country unanimously condemned; and where seventy-five young men of blameless character had been condemned to most severe sentences for resisting these evictions. The scheme was not devised till Parliament had rejected the constitutional demands of four-fifths of the Irish representatives, demands which subsequent events have shown were necessary and just. It must, in fact, be regarded as a desperate remedy to meet a desperate wrong.

The Plan of Campaign was adopted unanimously by the tenantry of Lord Clanricarde in this part of Galway. It speedily spread, and was adopted by the tenants of many of the principal estates in the neighbourhood of Loughrea, by those of Sir Henry Burke, of Lord Dunsandle, of Lord Westmeath, of Mr. Lewis, and many others. In the prosecution which was instituted against Mr. Dillon and others



for a criminal conspiracy in respect of the Plan of Campaign, the judges laid down as law that the combination was criminal; but the Dublin jury, in spite of all the efforts of the Crown to pack it and to secure a conviction, refused to give a verdict against Mr. Dillon, and it is said that a majority of the jury were in favour of an acquittal.

These proceedings took place in the winter of 1886-87. The opening of Parliament in 1887 led to the debate already alluded to, and the resignation of Mr. Joyce. In his place Mr. Tener was appointed as the agent of the vast property of Lord Clanricarde, upon the understanding that he was to be paid by a commission on the rent collected. This change in the agency caused some delay before further proceedings were commenced against the tenants. In February of the same year Sir M. Hicks-Beach resigned his position as Chief Secretary, and was succeeded by Mr. Balfour, under whom were passed the Coercion Act of 1887, and the Amending Land Act of the same session. The latter conceded some very important advantages to certain classes of Irish tenants; it gave the benefit of judicial rents to leaseholders, and it enabled the Land Commissioners to make temporary reductions in judicial rents, which had been fixed previous to 1885, reductions varying according to the district, and regulated by the price of agricultural products. It provided, however, no equivalent abatements for arrears of rent, which had accumulated during the period of low prices. On the other hand, it greatly facilitated evictions by enabling landlords, by mere paper notices, after decrees of ejectment, to turn their tenants into caretakers, and to deprive them of all rights under the Land Act, except that of redemption within six months of such notice, and thus to postpone the actual eviction, until a convenient time.

The joint effect of this provision and of the Coercion

Act has been to strengthen enormously the hands of the landlords, while no remedy has been provided to tenants who were in arrears of rent, and who disputed the justice of the claims made against them, as in the case of the Clanricarde tenants.

## CHAPTER III.

## THE WOODFORD MEETINGS.

SOME months elapsed after the events described in the previous chapters, before Mr. Tener, the new agent of the Clanricarde estate, found himself in a position to assert the claims of his employer, or the Government was again inclined or able to support him with the forces of the Crown, and the powers of the Coercion Act, in the enforcement of these claims.

The agent, as he subsequently informed me, was under the impression that he opened proceedings by making a more favourable offer to the tenants than his predecessor had done. Having, however, made careful investigation on this point, and having submitted the offer, as given to me in writing by Mr. Tener, to one of the ablest lawyers in Dublin, The McDermott, I am able to say that it practically amounted to nothing better than the previous offer of Lord Clanricarde through Mr. Joyce. It offered substantially no more than an abatement of 20 per cent. on a single half-year's rent out of the two and a half years' arrears then due, conditional upon payment in full of a year's rent, and upon the remainder going to an arrears fund, without any promise of future reduction. Such an offer was quite illusory, and could not be expected to lead to a settlement. Upon its failure Mr. Tener entered upon more active proceedings. He commenced by razing to the ground the houses of the tenants who had been evicted in the previous year, as an

indication that all hope of reinstatement was cut off. He also made known to the tenants that Lord Clanricarde was determined to resort to every measure that might be necessary to enforce his claims, and would expend whatever funds should be required for the purpose.

These proceedings and threats caused the greatest alarm among the tenantry, and meetings were summoned to protest against them and to call for sympathy from the public. The Government, under the powers of the Coercion Act, proclaimed these meetings, and announced their intention to disperse by force any attempt to hold them.

When the authorities of a country or district act in such an unjustifiable and unconstitutional manner, it cannot be matter for surprise that the people should show their indignation in strong measures and in stronger language, by way of protest against the violation of their rights. It was determined to hold a meeting at Woodford in spite of the declared intention of the Government to prevent it. The anniversary of the day when the Plan of Campaign was adopted, October 16, was chosen for the demonstration; and to elude the authorities, and to avoid any chance of a conflict with the police, the meeting was held at midnight. Father Coen, the parish priest, presided. The meeting was addressed by Mr. W. O'Brien, M.P.; Mr. Sheehy, the member for that division of Galway County; Mr. Rowlands, the member for Finsbury; by Mr. Wilfrid Blunt, and by the delegates of several Radical associations in England who happened to be in Ireland at that time. The meeting was held in the principal street of Woodford, and the speakers addressed it from the windows of a shop of one of the leading tradesmen. All Woodford was present. Many of the speeches were of a somewhat excitable character, as was to be expected at such an hour, and under the fear of being dispersed by the police. The Plan of Campaign was lauded and approved. Father Coen, who presided, showed his contempt for the

proclamation of the Lord-Lieutenant, prohibiting the meeting, by wiping his shoe with it; and Mr. O'Brien subsequently burnt the document amid the cheers of the assembled people. Eight policemen were present, a force obviously quite unable to disperse the meeting. They were not interfered with. They knew and could recognise every one who was present.

To appreciate the object of the meeting it is necessary to bear in mind that there was at that time the gravest alarm among the leaders of the people in the district that Lord Clanricarde's renewed threats of eviction might result in reprisals in the shape of outrage or crime. The history of the district, and especially that of the years 1881 and 1882, showed that crime and even murder was too frequently the last resort of individuals driven to despair. The method of combination had been commended to the people as a substitute for such violent and brutal courses. It had been eminently successful in preventing and suppressing such crime. The district was perfectly free from taint of this kind; but there was general fear lest there should be a relapse in this direction; and it was alleged that the main object on the part of the leaders in holding the meeting was to impress on the people of the district the belief that they would be supported by public opinion, so long as they avoided outrage and crime. There cannot be a doubt that such a speech as that of Mr. O'Brien had a most powerful influence in this direction. His last words were; 'No crime and no surrender,' and these, it is certain, had a greater effect in restraining the people throughout the West of Ireland from crime than all the provisions of the Coercion Act.

The most moderate of all the speeches made on the occasion was that of Mr. W. Blunt. He had come down to the district with Mr. O'Brien, knowing little of what was intended to be done at the meeting. He was in no way

responsible for it. From his position in the room from which the speeches were made, he could hear little of those of others, and did not even see what was done to the Proclamation.

It was not Mr. Blunt's first visit to the district. He had been there the previous year, and had made many inquiries into the condition of the tenantry. He had then done his best to bring about a friendly settlement of the dispute which then existed between another landlord of the district, Sir Henry Burke, and his tenants, and I was informed later by the Bishop of Clonfert that Mr. Blunt had most generously undertaken to pay a very considerable sum for the legal costs incurred in ejectment proceedings, in the hopes of settling the case—hopes which were unfortunately not realised.

The meeting over, Mr. Blunt returned to Dublin; but he was speedily summoned back to Woodford by the news which followed him there.

Two days after the midnight meeting, Lord Clanricarde's agent renewed his evictions under circumstances of more than ordinary harshness and want of consideration, and with the aid of the police, who, under the altered *régime* of Dublin Castle, were no longer refused to him. The agent and bailiffs, with 150 police, secretly crept up the Shannon by night in boats, and, landing just before daylight on its banks, surprised the occupants of three farms immediately after sunrise and succeeded in evicting them, not, however, without serious resistance in one case, for which five persons were sent to gaol for five months, with hard labour, by the magistrates under the Coercion Act. Mr. Blunt, when he heard of these evictions, returned at once to the district, made inquiries into the cases, visited the farms from which the tenants had been evicted, and determined to hold a meeting at Woodford to protest against further proceedings of the same kind. His inquiries resulted in the

conclusion, which every other person who has looked into the cases has come to—namely, that the evictions were harsh and unjustifiable, as they were for arrears of rent, which the grave fall of prices had made unjust and excessive.

Feeling strongly the necessity for calling public attention to the subject, for the purpose of saving the Clanricarde tenantry from further proceedings, Mr. Blunt summoned a meeting at Woodford for October 23. It was attempted later by the Government to connect this meeting with the previous midnight meeting of the 16th. Nothing could possibly be more unfair or more unjust to Mr. Blunt. The earlier meeting was held at midnight in the open street of Woodford; it was held for the purpose of celebrating the anniversary of the Plan of Campaign; it was addressed in speeches, many of them of a violent character. Mr. Blunt's meeting was held for the single purpose of protesting against the harsh evictions of Lord Clanricarde, evictions which had been renewed in the interval between the two meetings; it was held on private grounds outside the town of Woodford, in the middle of the day. It was to be addressed only by Englishmen, and Mr. Blunt wrote to the local magistrates, giving his personal pledge that the speeches would be of a moderate character, and that the resolutions would be under his control. It is difficult to conceive any circumstances or conditions, under which a meeting would be more justifiable and less open to objection than that now proposed. Yet this meeting also was proclaimed; and when Mr. Blunt and his wife Lady Anne, Mr. Rowlands, M.P., and a few others, endeavoured to ascend the temporary platform, and to address the people, who were assembled there, the authorities interfered with force to prevent it. A personal struggle ensued between Mr. Byrne, the resident magistrate, and Mr. Blunt and Lady Anne, which led to the arrest of Mr. Blunt and his subsequent prosecution.

Three trials have taken place in respect of this single

meeting—that of the criminal prosecution of Mr. Blunt before the two resident magistrates at Woodford ; his appeal before the County Court judge, Mr. Henn, at Portumna ; and his civil action against Mr. Byrne for illegal assault before Chief Baron Palles and a special jury at Dublin. In all three the issues were the same—namely, whether the meeting was an unlawful one, justifying the authorities in dispersing it by force, or a lawful one, whether the action of the authorities was illegal and whether Mr. Blunt's resistance was justifiable. It will be seen that the Crown lawyers put forward a different defence of their action at each of these trials. At the first prosecution before the resident magistrates, the Crown officials contented themselves with putting in evidence the proclamation of the Lord-Lieutenant forbidding the meeting ; on the strength of this the magistrates, without further evidence, convicted Mr. Blunt and sentenced him to two months' imprisonment.

When the news of Mr. Blunt's conviction reached me, I felt profoundly shocked at the idea of his being condemned for holding a meeting to protest against Lord Clanricarde's action, and at the prospect of his being treated as an ordinary criminal. I knew the general circumstances of Lord Clanricarde's property and his treatment of the tenants. I had followed closely all the facts of the case ; I felt most strongly that there never was a case where public sympathy was more required, or where it was more necessary that public opinion should be brought to bear against the harsh and unjust conduct of the great landlord of the district to his tenants or co-owners. The public was not then fully aware of the facts. The trial between Lord Clanricarde and his agent, Mr. Joyce, had not by that time taken place, and all the damaging facts, which were elicited at that trial, had not been made public. I made no secret of the view I took of Mr. Blunt's case. Speaking at a public meeting at the Memorial Hall, Farringdon Street, I condemned the prosecution in



no measured language. I said that I could conceive no case in which a public meeting to protest against cruel treatment by a landlord could possibly be more justified. I stated that, in my opinion, it would be an honour to stand by Mr. Blunt in the dock or in prison on behalf of such a cause ; and at the instance of Mr. Blunt I determined to go over to Ireland for the hearing of the appeal, that I might give such support as was possible to one who, in the opinion of those who knew the real facts, had taken a commendable and patriotic course, and one for which he should be publicly thanked rather than be prosecuted and imprisoned.

In the interval between the two trials of Mr. Blunt two matters of interest occurred bearing on the case. The one was the trial of the libel case between Mr. Joyce and Lord Clanricarde, which for the first time made public on oath, and on the correspondence and admissions of the noble defendant, all the features of his conduct to his tenants, conduct which drew upon him the strongest censure of the judge who tried the case, and the universal condemnation of the Press of England and Scotland. The other was the prosecution of twelve persons for having attended the midnight meeting at Woodford on October 16. For many weeks no notice had been taken of this meeting by the authorities of Dublin. About seven weeks after the event the authorities suddenly woke up to action. They directed the prosecution of twelve persons living at Woodford for being present at it. On what principle the selection of these particular persons was made has never yet been sufficiently explained. The case is one singularly illustrative of the working of the Coercion Act. The only explanation which has been suggested for the prosecution, after so long a delay, is that when the Crown lawyers had to prepare their case on the appeal in Blunt's case, they found that they could not sustain a criminal charge against him, without

connecting the meeting on October 23 with the previous midnight meeting of the 16th, and that they were then met with the difficulty that no action had been taken by the Crown against the persons who had attended the earlier meeting. To dispose of this difficulty, it is suggested that a tardy determination was arrived at to prosecute a number of persons for attending the earlier meeting ; and that orders were sent to the local authorities to do this, leaving with them the selection of the individuals. What is certain is that none of the principal parties to the midnight meeting were prosecuted. Father Coen, who presided, was left untouched ; no prosecution was attempted against Mr. W. O'Brien, M.P., who burnt the proclamation and made a strong speech, or against any of the English and Irish members of Parliament or delegates of English Radical clubs who spoke at the meeting and made more or less strong speeches.

Of the twelve persons selected for prosecution, only one, Mr. John Roche, had taken the smallest part in the proceedings of the meeting ; he had moved Father Coen into the chair without any speech, and, having done so, occupied himself in doing his best to protect the police from violence, and with such success that on the following day he was publicly thanked by the inspector of the police for what he had done on behalf of the force ; and yet seven weeks later this very man was prosecuted for attending the meeting, and on the evidence of the same inspector was sent to prison for a month, with hard labour ! Of the other eleven persons who were prosecuted, none had taken any part in the meeting beyond being present in the street and listening to the speeches. The whole of Woodford was present, and the police must have known them all. Why, then, select these twelve persons for prosecution ? The majority of them had taken no part in the arrangements for the meeting. There was no evidence of any having done so. It is scarcely possible to suggest any other motive than that some of these

men were leaders among the tenants of the district, were active men in the combination, and as such were especially obnoxious to the landlords. Mr. Roche was the secretary of the Tenants' Defence Association, and was, therefore, selected on this and other occasions for prosecution.

When these men were summoned before the magistrates they found themselves deprived of their counsel, Mr. T. Harrington, M.P., who had been arrested the previous day on a bogus charge of being connected with the '*Tralee Herald*,' of which his brother, Mr. E. Harrington, M.P., was editor, and who had been recently sent to prison for publishing reports of proceedings of the National League in a proclaimed district.<sup>1</sup> The Woodford men asked for an adjournment of a week in order to secure another counsel. This was refused, although seven weeks had been allowed to elapse since the offence was committed. They were forthwith convicted of attending an illegal meeting, and sentenced each to a month's imprisonment with hard labour. They then asked that the sentence might be enlarged to five weeks, so as to enable them to appeal; this favour also was refused, and they were sent to prison. It is difficult to believe that such cases could occur under the form and semblance of law. It would be far better to give to the local authorities the power of shutting up in prison any persons whom it may seem expedient to them, in the public interest, to deprive of their liberty, than to arrive at the same end by a travesty of legal proceedings, such as this case presents to us. I shall have later to refer to other proceedings in respect of Mr. Roche, showing a determination of the local authorities to ruin him.

<sup>1</sup> The resident magistrates convicted Mr. T. Harrington and sentenced him to two months' imprisonment; but on the application of his counsel they stated a case to the Superior Courts. The Crown has never proceeded further with it.

## CHAPTER IV.

## LOUGHREA IN 1888.

THE appeal in Mr. Blunt's case was fixed for January 3, 1888, at Portumna, and, in pursuance of my promise to stand by him and to give him such support as I could, I went over to Ireland a few days in advance, with the object of making some further local inquiries into the condition of the tenantry of the district. I went by train to Athenry, and passed the night at the little inn where I had stayed six years before on my first visit to the district. The next morning I drove over early to the residence of Mr. Joyce, the late agent of Lord Clanricarde.

Mr. Joyce kindly invited me to lunch with his father-in-law, Mr. Maxwell, of St. Cleran's, a gentleman of position in the neighbourhood. I found myself there in a pleasant circle with many common acquaintances, and heard much from them of the condition of the country, from the point of view of landlords of the better class, who condemned the conduct of the black sheep of their class, as fiercely as any Nationalist could do, but who not the less could scarcely see any justification for the agitation which was going on around them. It was then that I satisfied myself that no offer had been made to Clanricarde tenants, such as had been suggested to Sir M. Hicks-Beach. Mr. Joyce said that he could have settled the dispute with the tenants on a most satisfactory basis at an abatement of about 20 per cent. if he had been

allowed a free hand. The grave mistake that Lord Clanricarde had made was in attempting to manage his estate from London, without any personal knowledge of the people or of the condition of the country. Mr. Joyce told me that he had recently conceded to the tenants of his father-in-law, for whom he was now acting as agent, an abatement of 25 per cent. on the judicial rents. He said that all the better landlords of Galway had freely and without pressure made abatements during the last two years of from 20 to 30 per cent.

My kind and friendly hosts were evidently not a little surprised at finding me their guest for the nonce, and our arguments on the subject of Home Rule and the Irish Land question waxed a little hot at times, but nothing ruffled the courtesy which is innate in Irishmen and Irishwomen of the best type. I left St. Cleran's in the afternoon and drove to Woodford—one of the coldest and most trying journeys I had ever experienced.

At Loughrea I found a hospitable welcome at the Bishop of Clonfert's, Dr. Duggan. He is one of the most advanced, from a political point of view, of the Irish Catholic bishops, and also one of the kindest and best beloved of them. After dinner some twenty of the leading men of the Clanricarde tenants in this district met me by arrangement, and discussed with me the position of affairs in their dispute with their landlords. They were a most intelligent set of men, quite alive to their legal position under the two Land Acts, fully competent to discuss their attitude under the Plan of Campaign. I pointed out the legal difficulties to the particular form of combination which they had adopted. They argued the question with moderation and force. They contended that the payment of a proportion of the rent into the hands of a third person was not different in substance to a general contribution from the tenants towards the objects of the combina-

tion, and they could not see the difference in law or morality.

They claimed that their combination had had the effect of completely putting an end to crime in the district ; that during the last two years, since they had entered into the combination, there had been no single case of outrage or crime. Their chief alarm for the future was lest, in the terror caused by the renewed action of Mr. Tener, some individuals, driven to despair, might revert to old methods, and by committing acts of violence set public opinion of England against them. It was to restrain this that all their efforts were directed. I told them that it would be impossible for me to advocate their case either on the public platform or in the House of Commons, unless I felt convinced, and unless I was able to give the assurance, that they were prepared to act in a reasonable manner, and to come to an arrangement with their landlord upon such terms as would be considered reasonable and just to both parties. I had their most positive and solemn assurances, given in the presence of the Bishop of Clonfert, that there never had been a time, since the commencement of the dispute, when they had not been anxious and willing to come to an arrangement with Lord Clanricarde, upon the same terms of abatement as had been practically conceded by all the better landlords of Galway. This was confirmed by the Bishop, who also gave me his most solemn assurances to the same effect. He had in the past, and always would in the future, use his efforts in that direction, and he firmly believed that a reasonable offer on the part of Lord Clanricarde would even now at the last hour be accepted.

The leaders of the movement were fully aware of the mischief resulting from the present state of things, and they were anxious to bring it to a conclusion. One point, however, they insisted upon as an absolute condition of settlement,

without which an arrangement was out of the question—namely, the reinstatement of the evicted tenants, the replacement in their homes and holdings of the seven or eight tenants who had already been evicted, and who had suffered for the general cause of their fellow-tenants. They feared that this would be one of the greatest difficulties in any arrangement. Apart from this, I found that there was no insuperable difficulty in coming to terms on a most reasonable basis ; and although no specific abatement was mentioned, I gathered that an abatement of 25 per cent. of the arrears of rent then due, with time for payment of a part, and the reinstatement of the evicted tenants, would probably bring this unfortunate dispute to a conclusion, and would restore peace and content to this district. My informants stated that Lord Clanricarde gave the lead to many other landlords of that district, that he was fighting their battle with his great means, and that, if a settlement could be arrived at with him, they felt confident there would be no difficulty with Sir Henry Burke, Lord Dunsandle, Mr. Lewis, and others who had followed his course, and whose tenants had also adopted the Plan of Campaign. Before parting with these men I again assured them that I should hold them to their promise to accept any reasonable offer of settlement which might be made, and that I could not advocate their case if they failed in this respect.

Early the next morning I drove in a car with Mr. MacDonald and Mr. Hill, the correspondent of the 'Pall Mall Gazette,' to Woodford, distant about fifteen miles. The morning was bright and fine. A good deal of snow had fallen in the night-time, which made the roads heavy and our journey slow. On our way we overtook several men, whom our carman pointed out to us as being on their way home from Galway Gaol. Indeed, almost every man we met had either been to gaol in respect of resistance to evictions,

or for holding meetings in connection with them. We talked to many of them, and found them full of spirit, glorying in their fate, and not in the least subdued by the imprisonment they had undergone. They were quite prepared to encounter the same fate if evictions were again renewed.

At Woodford a Court was being held by two resident magistrates under the Coercion Act for the purpose of trying two men who had been present at the midnight meeting of October 16. I went into the Court House and heard the whole case. A greater burlesque of justice could not well be conceived. Neither of these men had taken any part in the meeting beyond being present in the street while the speeches were being made. The inspector of police admitted that one of them had been concerned with Mr. Roche in protecting the police.

Of the two men, one was sentenced to imprisonment for a month with hard labour, and the other to a fortnight, in consideration of his having done his best to help the police. A request for an extension of the sentences beyond a month, to enable these men to appeal, was promptly refused.

The trial over, I spent what remained of the afternoon in visiting some of the tenants who had been evicted from their holdings in the autumn of 1886, and also in looking over the farms from which they had been evicted. Temporary wooden huts had been erected on the glebe land of the parish priest, Father Coen, about two miles from Woodford, in which four or five of the evicted families were housed. The huts had cost from 20*l.* to 30*l.* apiece, and were paid for out of the funds collected under the Plan of Campaign. Here the evicted tenants were living in the confident hope and belief that they would be reinstated in their old homes, whenever a settlement should be arrived at. Meanwhile they were receiving a small monthly payment, scarcely sufficient to keep body and soul together, but eked out by odd jobs, by the slender earnings of the



daughters in dressmaking or washing, or by contributions coming from members of the family in the United States, that source from which so much of the rents of the smaller holdings in Ireland is paid. Nothing could be more touching than the patience of these poor people in their present stress, or than their confidence in their fellow-tenants.

Within a short distance were the farms from which they had been evicted. I was surprised to find how good in most cases had been the houses and farm-buildings. They were anything but the typical cabins, which one associates with the smaller tenants of Ireland. They were comfortable houses of stone, with slate roofs, many of them with two storeys; the farm-buildings were greatly in excess of what one would suppose necessary for the amount of land attached. The land had in all cases been originally wild moor and bog. It had been reclaimed, drained, and fenced by the tenants and their predecessors; the houses and buildings had been erected by them. No capital had ever been expended by the successive landlords; no assistance ever rendered by them. For land originally almost worthless, the rent was gradually increased till it represented but little less than the rack-rent of the improved land without its buildings. Here is one of the cases which I entered on my notes at the time. The tenant of farm A held twenty acres of land at a rent of 15 $\frac{1}{2}$ l. The land was originally moor and bog of the most worthless description, for which a more experienced man in such matters than myself (Mr. Evelyn), who inspected it a few days later, said that 6 $\frac{1}{2}$ l. per acre was a high rent. It was reclaimed by the grandfather of the present tenant, and by great expenditure of labour of three generations it was drained, fenced, and improved; a substantial house and farm-buildings were erected, which certainly could not have cost less than 200l., irrespective of the labour of the tenant. The landlord never spent a farthing upon the holding, but

the rent was raised from time to time from 2*l.* 10*s.* a year to 15*l.*, at which it stood when the eviction was carried out. Three years ago, before the agricultural depression, the tenant's interest was worth at least 300*l.*, and, estimating the landlord's interest at twenty years' purchase of the rent, it was worth at least as much, making a total value of 600*l.*

The fall of prices had reduced the gross value of the holding, including both landlord's and tenant's interests, by at least 40 per cent. ; and the question at issue was upon whom this loss of 240*l.* should fall. Was it to be borne wholly by the occupying owner, or was it to be shared by the non-resident owner? If the tenant were now to go into Court it is certain the rent would be reduced by 35 to 40 per cent. The tenant claimed that a reduction should be made in the rent due, and in the arrears which had accumulated from the autumn of 1885, when the pressure of the fall of prices became intolerable and when the dispute arose. The landlord refused to take this view, and in 1886 evicted the tenant for a year's rent *plus* 17*l.* of costs, sooner than agree to an abatement of 25 per cent., at which a settlement could have been arrived at. The tenant's interest was put up for sale, and was bought in by the landlord for 4*l.* The land has since remained uncultivated. No one has been found to take the farm ; no one would dare face the public opinion of the district by becoming tenant of the holding, from which the tenant had been evicted.

As a result, the land has rapidly deteriorated, and has already gone back into a condition where it is worth no more than 5*l.* a year as a rack-rent, and if allowed to remain will speedily relapse into its original condition of bog. Under the recent policy of the landlord the house has been unroofed, and presents the appearance of a ruin. The property which three years ago was worth 600*l.* between landlord and tenant, and which after the fall of prices was still worth 360*l.*, is now worth no more than 100*l.* The

entire interest of one co-owner has been confiscated by the other owner, the landlord; but in his hands it has become worthless, and has disappeared, while the landlord also has lost two-thirds of his own interest. What a commentary upon the landlord's proceedings! The case illustrates better than any argument can do the case of the Irish tenant, the origin of his rights as co-owner, the equity he has for a reduction of rent, whenever the primary conditions on which it was settled are substantially altered by a serious fall in prices. The difficulty in making the English people understand the claim is that we still retain the words 'landlord and tenant' to express the relations of these two persons, in lieu of the term 'co-owners.'

The case I have just described is typical of others. Some of the farms are smaller. One holding that I visited, where the tenant was under notice of ejectment, and expected at any moment to have it enforced, consisted of six acres only, for which he paid 6*l.* a year. It was almost impossible to make out how the tenant lived upon it. The potatoes grown were scarcely more than enough to feed the tenant and his large family; but he admitted at last that a daughter in America occasionally sent him a 5*l.* note.

We returned to dinner at Father Coen's, and at his hospitable board we met several of the tenants and heard many stories illustrative of the state of things in the district. Amid much that was sad, in spite of many alarms for the future, there was the fixed determination to maintain the struggle to the end, to stand by one another, and allow the whole country to be cleared of its inhabitants, sooner than give way singly, and abandon the cause of those who had already made such sacrifices.

After dinner we mounted our car and drove to Portumna, distant about ten miles. As we neared the town the sky was ablaze with light. This was due to a general illumination in honour of Mr. Blunt, who had arrived that day

to take his trial on appeal the following day before the County Court judge. As we passed through the streets we observed that every window in every house in the town, without exception, was lighted with wax candles, the most efficient of all kinds of illumination, and which made even this poor little Irish town, whose decadence is ordinarily only too manifest, look bright and cheerful. There could not be better testimony to the universal feeling in favour of Mr. Blunt.<sup>1</sup>

<sup>1</sup> Some paragraphs in this chapter are taken from a letter which I wrote to the *Times* on January 12, 1888.

## CHAPTER V.

## PORTUMNA.

PORTUMNA is a small town of about 1,500 inhabitants, consisting of little more than a single street, with houses well built of grey stone—at one end the Court House, at the other the entrance to Portumna Abbey, the splendid park and demesne of Lord Clanricarde. Within this demesne stand the beautiful ruins of the Abbey, now serving only as a burial-place for the Clanricarde family, but cruelly neglected in this respect. The late Marquis and his wife lie buried there without monument or inscription. The elder brother of the present peer, well known as Lord Dunkellin, and most popular with all classes in the county of Galway, was buried at the other end of the property in the ruined Abbey of Athenry, also without monument or inscription.

A little beyond the Abbey, the Shannon, which flows through the park, widens into a beautiful lake ; on its banks stand the ruins of a splendid Elizabethan mansion, which was devastated by fire some forty or fifty years ago, but the external shell of which is still in good order and of stately appearance. The late Marquis, in lieu of repairing this building, commenced another on a palatial scale at no great distance, on a site better chosen for the view of the lake. It is said that he spent 60,000*l.* on the shell of this new house, which was to be worthy of his great property in this district. Unfortunately, it was never completed, and the present Marquis has left it, as he found it, incomplete, and a sad

memento of an absentee landlord. It is generally believed that this neglect of his property by the present owner dates from the election for the county of Galway in the year 1872, when, after a severe contest, the electors for the first time emancipated themselves from the Clanricarde yoke, and returned Colonel Nolan in place of the candidate supported by the landlords.

The town of Portumna has suffered severely from the prolonged non-residence of its owner and the consequent cessation of so much local expenditure. It presents also the solitary example of a town, which at one time was connected with the outer world by a railway, but which has since lost that advantage. A line from Parsonstown was constructed and worked for ten years, but not having paid was abandoned.

At Portumna I found Mr. and Lady Anne Blunt, and not a few of their friends who had come there, like myself, to stand by them during the hearing of the appeal—Mr. Evelyn, then member for Deptford, and his brother, the Rev. E. B. Evelyn, Mr. Stafford Howard, Mr. Rowlands, M.P., and some dozen other representative men from England. The Bishop of Clonfert and the principal Catholic clergy of the district were also there to receive the Blunts. The Crown was represented by its able advisers, Mr. Atkinson, Q.C., and Mr. Carson; while Mr. Blunt had retained the services of The McDermott, and Mr. T. Harrington, M.P., whose special experience in such cases, including his own, is becoming unrivalled.

Rarely had the town of Portumna been so crowded, and great was the difficulty of finding accommodation for so many. With such a galaxy of legal talent it was not surprising that the appeal case extended over five days, a period which I could ill spare from other duties, but, having come over to support Mr. Blunt, I felt it would look like abandonment of him on my part if I were to leave Portumna

in the middle of the case. Mr. Henn, the County Court judge, has been long on the Bench. His reputation among the tenants is of the worst; on no possible consideration would any tenant in the district enter his Court for the determination of a judicial rent under the Land Act. It is perhaps somewhat unfortunate that Mr. Henn should give countenance to these adverse opinions by habitually living as the guest of landowners at each one of the towns in East Galway where he holds his Court. At Portumna he has always been lodged and fed at the cost of Lord Clanricarde; on this occasion he was wise enough to drive over daily from Ballinasloe.<sup>1</sup> The impression left on my mind by the long proceedings in the case now before him was that he was completely under the influence of the Crown lawyers; almost without exception, he followed their direction or suggestion in the various legal points which came before him.

Under the practice of the Irish Courts, the case was treated, not as an appeal from the two magistrates of the Court below, but as a rehearing. The Crown lawyers completely abandoned the line taken by their representative at the first hearing, and presented their case in a totally new light. They no longer relied on the proclamation of the meeting by the Lord-Lieutenant; they did not even put this document in evidence; they endeavoured to prove that the meeting itself was an unlawful one, justifying the magistrates in dispersing it by force, and for this purpose they endeavoured to connect it with the previous midnight meeting of October 16. Nothing could be more bitter than the tone of these representatives of the Crown towards Mr. Blunt. Every particle of evidence which could be scraped together to connect him with proceedings of a more doubtful legal character and with more violent persons was adduced, and

<sup>1</sup> It was stated in the House of Commons that the Land Commissioners forbid the Sub-Commissioners receiving hospitality in their districts.

was admitted by the judge, while everything throwing light upon his objects and intentions, and every point of evidence bearing on the conduct of Lord Clanricarde and the eviction of his tenants, tending to justify the holding of a meeting, to protest against such conduct, and for the protection of the tenants, was rigidly excluded. Yet this was the very essence of the position—the main and, I believe, sufficient justification for Mr. Blunt in desiring to hold a meeting. Whatever may be the merits of the case from a purely legal point of view, as regards the reception of such evidence, it would obviously be impossible to exclude the common knowledge of them from jurors, if, as in the ordinary course, and apart from the Coercion Act, the case had been tried before a jury.

By withdrawing the case from a jury, by remitting it to a single judge, who was legally entitled to look at it from a purely technical point of view, it was possible for the Government to obtain a verdict against Mr. Blunt ; but I contended at the time that under no possible circumstances would it have been possible to obtain a verdict from any jury that could have been empanelled in the United Kingdom. This view of the case was subsequently confirmed in a most striking manner. In the civil action tried later at Dublin before a special jury, in spite of an adverse summing-up by Chief Baron Palles, on the issue whether the meeting was a lawful one, only a single member of the jury was found to give his voice in favour of the Government and against Mr. Blunt. It is absolutely certain, therefore, that if Mr. Blunt had been tried by a jury, even a special jury at Dublin, there would have been no conviction.

It cannot be too strongly insisted upon that the right of public meeting in this country rests upon the yet wider right of trial by jury. It is not within the power of the Government to determine, by proclamation or otherwise,



as to the legality of a meeting ; the proclamation, unless authorised by a special and exceptional Act, has no legal effect whatever ; the Executive Government or the local authorities who interfere with a meeting and disperse it by force, and who prosecute persons for resisting must, under the ordinary law, prove the meeting to be actually unlawful to the satisfaction of a jury. Any member of the public is justified in insisting upon his right to hold the meeting, subject to the same reference to a jury.

There are two courses open for the Executive, if in its view a proposed meeting is unlawful, within the definition of the law : it may prevent the meeting and disperse it by force, or it may allow the meeting to be held and prosecute those who call it together and attend it. In the first case, if an individual, under the belief that the meeting is a lawful one, should resist, the Executive may prosecute the person, so resisting, for an assault on the officer of the law who disperses the meeting ; on the other hand, the person resisting the executive officer may on his part prosecute such officer for an assault. In either case it rests with the jury finally to determine whether the meeting was lawful or not ; it is not a question of law, it is one of fact. The jury, therefore, is the great palladium of the right of public meeting. With the jury rests in all cases the final determination of the legality or otherwise of a meeting. The effect of the recent Coercion Act in Ireland is to withdraw such cases, where the Crown is the prosecutor, from the jury, and to relegate the facts as well as the law applicable to the case to two resident magistrates, who are practically only the agents of the Executive Government, with an appeal to a single judge of an inferior order, who may be a prejudiced man, and who is invested with the power to determine the most delicate and important of all the political rights with which the people of this country are invested.

There remains, however, the right of the individual who has asserted his right by resistance to test the case by an appeal

to a jury in a civil action against the police officer for assault ; but he does so with this disadvantage, that he must get the unanimous verdict of the twelve jurors in order to obtain a conclusive finding in his favour ; if a single juror is unwilling to find in his favour there is no verdict. In Mr. Blunt's case the County Court judge, sitting alone and deciding questions of fact and law, determined that the meeting at Woodford on October 23 was an unlawful one, and sent him to prison as an ordinary malefactor ; in his civil action against the police officer who dispersed the meeting, eleven out of twelve jurors desired to give a verdict in his favour and against the Executive ; but a single juror stood out and refused to join in the verdict, and consequently Mr. Blunt failed in his action. But it is equally certain that if the criminal prosecution against Mr. Blunt had been tried, even by a special jury, it would have been totally impossible for the Crown lawyers to have secured a verdict against him. We have, therefore, on the one hand eleven special jurors favourable to Mr. Blunt, and a single special juror and Mr. Henn unfavourable to him, and yet the latter was able to condemn him and to send him to prison as an ordinary criminal. After a five days' trial, in which every possible advantage was allowed by Mr. Henn to the representatives of the Crown, he gave judgment in the case.

Time and reflection have confirmed the view which I formed at the time, and to which I gave public utterance on the same night, that no more prejudiced, intemperate, and partisan judgment was ever delivered than that of the judge.

Mr. Henn was evidently determined to do his utmost to prejudice Mr. Blunt in the eyes of the British public, and to cover him, if possible, with ridicule and contempt. Mr. Blunt, in his view, in coming to Woodford, was actuated only by a desire for notoriety ; he was a vain man, of an unbalanced judgment. In order to convict Mr. Blunt, and to hold the meeting of the 23rd an unlawful one, the judge was

obliged to bring in aid the midnight meeting of the 16th. For this he held Mr. Blunt to be responsible ; he described the burning of the proclamation of the Lord-Lieutenant, which the Crown lawyers had treated as a document of no legal value, as an act of insurrection for which, as Mr. Blunt did not intervene to protest against it or to prevent it, he was equally responsible as Mr. O'Brien. Mr. Blunt was also held responsible for the strong language of Mr. O'Brien and other speakers. The concluding exhortation of Mr. O'Brien's impassioned speech, 'No crime and no surrender,' was, in Mr. Henn's view, to be construed by the context as a direction to the people to commit crime, and Mr. Blunt was held responsible for it.

On the strength of these views Mr. Henn affirmed the appeal, and condemned Mr. Blunt to imprisonment for two months as an ordinary criminal. Nothing more unjust, in my view, has been done in the name of law in recent times. Even on the assumption that the meeting was unlawful, which no jury in the United Kingdom could have been found to hold, there can be no doubt that there was nothing criminal in the action of Mr. Blunt. His resistance to the officers of the law was a purely technical one, for the purpose of raising the question of right, and consisted only in a slight push ; he believed in his right to hold the meeting ; his act was a purely political one, without a vestige of criminality about it, justifying his condemnation as an ordinary malefactor. The sentence, therefore, should have been one which distinguished between an illegal act done in the belief that it was lawful and in good faith, and an illegal act, committed with a criminal intent. At the most, Mr. Blunt should have been treated as a political offender, and sent to prison as a first-class misdemeanant, or his action should have met with a nominal punishment of fine ; and I conceive it to be to the lasting disgrace of the Irish Government that they should have

allowed this sentence to stand and have treated Mr. Blunt as an ordinary criminal. It appears, however, to be their deliberate policy to treat their political opponents in Ireland as criminals, in the belief that by so doing they will put down the political and agrarian movement in Ireland, quell the spirit of the Irish people, and deter any English sympathisers from venturing over to Ireland to give aid and support. A more mistaken view of human nature and of the motives for action in men of patriotism and courage could not well be conceived.

During my stay at Portumna I had many opportunities of making further inquiries into the position of affairs on the Clanricarde and other neighbouring estates. I had also two or three interviews with Mr. Tener, the agent, with the object of ascertaining on what terms a settlement could be arrived at. He told me that he had made on Lord Clanricarde's behalf most generous offers to the tenants ; and he promised to put in writing the terms, that I might compare them with the information I had received from the tenants themselves.

He could hold out no hopes that Lord Clanricarde would make any advance on the terms already offered ; and with respect to the all-important condition which the tenants insisted upon, and which in my view they were bound as men of honour to maintain—namely, the reinstatement of the evicted tenants—he stated that Lord Clanricarde was inexorable, and under no circumstances would give way.

I came, therefore, reluctantly to the opinion that no settlement could then be hoped for. The promise of a written statement of the terms which had been offered to the tenants was not fulfilled till within an hour before my leaving Portumna, when it was too late to communicate again with Mr. Tener or with the representatives of the tenants for explanations ; but on submitting these terms on my way through Dublin to The McDermott, who is not only a most

able lawyer, but also the owner of a considerable estate in Sligo, he told me that substantially it did not differ from the version given of it by the tenants, that it amounted to no more than an offer of an abatement of 20 per cent. on a single half year's rent of the two and a half years' rent then generally due, and that in his opinion it was equally illusory with others which had been made before, and could not be expected to form even the basis of a settlement ; even this illusory offer was not to apply to those with judicial rents, or to holdings with a rental of over 50*l.* a year, who were to be dealt with individually at the discretion of the agent.

The attitude of Mr. Tener was such as to convince me that, supported, as he then was, by the forces of the Crown under the *régime* of Mr. Balfour and by all the powers of the Coercion Act, with the object of prohibiting combination and of preventing the expression of public opinion in the district, as shown in the unscrupulous prosecution of the leading tenants of Woodford for attending the midnight meeting, and of Mr. Blunt for the later meeting, Lord Clanricarde was determined to press his claims to the utmost. Even while I was at Portumna no fewer than 150 processes of ejectment were issued against the tenants, and stood for hearing at the next session of the County Court, while hundreds of others were in different stages of progress. The whole country-side was in a state of alarm and terror which it would be difficult to exaggerate.

I left Portumna after the conclusion of the trial deeply impressed with the gravity of the position of things in the district, convinced more than ever that a terrible wrong was being done to the tenantry by the invisible and unapproachable despot, who ruled the country, by the aid of the forces of the Crown ; with the conviction also that all these evils might have been avoided, all the proceedings have been prevented, if concessions had been made by Lord Clanri-

carde in the earlier stages of the dispute, such as the better landlords of the county had voluntarily and without undue pressure made to their tenants ; and with the assurance that even now the tenants were willing and anxious to come to terms on a reasonable basis.

The trial over and the cruel sentence passed, Mr. Blunt was allowed time to bid farewell to his friends before being carried off to Galway Gaol. During this interval he received an address of sympathy and respect from the people of Portumna. An address was also presented to myself. A large force of police occupied the town and roughly repressed all attempts at a demonstration. An escort of mounted police was formed, and Mr. and Lady Anne Blunt were conveyed in a covered prison van in the direction of Ballinasloe, where it was supposed they would take the railway to Galway. There followed several cars containing the many friends who had stood by them during the trial.

I had promised to receive an address at Ballinasloe that night, and in my reply to speak upon the result of the trial. I had steadily refused to speak in public or to attend any demonstration during my stay at Portumna or on my way there ; but now the trial was over there was no longer reason for silence.

Our journey to Ballinasloe was nearly productive of serious accidents to many of us. Two of the cars came into collision, and the two Evelyns, Mr. Hill of the 'Pall Mall Gazette,' and myself were flung into the road. Mr. Hill alone received serious injuries, and we were compelled to leave him by the side of the road in charge of Dr. Tanner, M.P., who most carefully nursed him and brought him eventually to Dublin. The police, with their prisoner in charge, separated from us a short distance from Ballinasloe and went to Woodlawn station, in order to avoid a popular demonstration at the former place, and I saw no more of

Mr. Blunt till six weeks later, when he was brought up in his prison clothes to give evidence at Dublin in his action against Mr. Byrne.

I drove on to Ballinasloe with others of the party. I met there the Bishop of Clonfert. The town was in a state of excitement ; a vast concourse of people filled the hall where the meeting was to be held, and overflowed into the adjoining streets. It was proposed to form a procession of carriages, preceded by bands of music, to attend me to the meeting. I declined the demonstration as inappropriate to the day when Mr. Blunt had just been conveyed to prison. After dinner I walked down to the hall with the Bishop of Clonfert. We found a large force of police in the street near the hall, and the commanding officer assumed a most menacing tone to us. In an overbearing and insolent manner he stated to the Bishop and myself that he had strict orders to prevent any disturbance ; he complained that already some stones had been thrown at his men, a fact which was positively denied by many spectators ; he demanded in peremptory terms that a Government reporter should be present at the meeting. I replied that I had not the smallest objection to a reporter being present, although, as the meeting was merely to present me with an address, it was a private one, to which the police had no right to be present. I stated that, in my opinion, the best course to avoid any disturbance would be to withdraw his force of police to barracks, and I would hold myself personally answerable for the maintenance of order. He positively refused to act in this manner.

The Bishop, however, was so impressed with the menacing attitude of this officer and his men, and with the evident intention to bring about a conflict with the people, so as to justify measures for dispersing them with force, that he strongly advised me to abandon the intention of receiving the address in the hall. He said that if the

leaders were in the hall it would be impossible for them to be responsible for what might take place outside it, and that a conflict would almost certainly be provoked by the police. He strongly advised me to return to the hotel and to receive a deputation there, in lieu of addressing the meeting in the hall; he refused himself to go into the hall. I acted on his advice and retired to the hotel, followed by large crowds of people. Father Costelloe, the parish priest of Ballinasloe, addressed the people from the hotel window, and told them that, under the circumstances, and to avoid a conflict, the Bishop had advised this course, and desired them all to disperse as soon as possible. The people acted on this advice without difficulty, and the streets in a few minutes were cleared of people, showing how completely they were under the control of their leaders.

I then received a deputation of thirty or forty of the leading men of Ballinasloe, who presented me with an address, to which I replied in a speech of considerable length. The Bishop had earnestly entreated me to be moderate in my language, so as not to shut the door against a settlement of the dispute between Lord Clanricarde and his tenants. I endeavoured to act on this advice. I spoke, however, in strong terms of condemnation of Mr. Henn's judgment and sentence in the sense I have already explained. I defended Mr. Blunt's action in summoning and endeavouring to hold the meeting on October 23, for which he had been condemned. I said that, having made inquiries on the spot into the case of the tenantry of that district, I had come to the same conclusion as he had done, and that, with the knowledge that evictions had recommenced and that others of a serious character were pending, I should have thought it my duty to do as Mr. Blunt had done. I should have insisted on my constitutional right to hold a meeting to express sympathy with the tenants; that in this view, I should not have been ashamed to find myself in the dock



beside Mr. Blunt, or in the prison to which he had been condemned. I pointed out that the effect of the condemnation of Mr. Blunt was that the right of public meeting was completely at the mercy of the Government and the police. I said that what struck me most forcibly about the trial was that the one question which above all others was the object of the meeting, the condition of the tenants of the Clanricarde property, and the justice of their complaints against their landlord, was hardly even mentioned, and was expressly excluded. It was held to be irrelevant at law, although every other fact was relevant. If we were to assume that the contentions of the Crown lawyers were justified, that the combination of tenants and their resistance to evictions made the district disturbed, the question would still remain—What was the cause of this? and whether the cause could not be better dealt with or removed by allowing free expression to public opinion at a public meeting, rather than by suppressing meetings and speeches, and endeavouring to drive below the surface the expression of suffering, with all the danger of its breaking out in other far worse methods?

I pointed out the change in policy from Sir M. Hicks-Beach to Mr. Balfour; how the one had practically refused to lend the forces of the Crown to support Lord Clanricarde in his unjust evictions, and the other had not only again given the aid of the police to support these unjust evictions, but was allowing the Coercion Act to be used in the most unscrupulous manner by the suppression of meetings and the prohibition of combination, in support of the same cause. Nothing, I pointed out, could be more absurd than the idea that any meetings held by Englishmen, such as Mr. Blunt, were likely to do harm or to lead to violence. The very opposite was the case. The Bishop of Clonfert would agree with me that the sympathy shown by Englishmen who had come over there had a most important effect in calming the minds of the people in the struggle in which they were engaged.

Mr. Blunt had explained in his letter to the resident magistrate that his object in holding the meeting was to preach patience to the people, to call upon them to endure their wrongs, and to tell them that aid would be forthcoming from England to redress their grievances. To prohibit the meeting and to imprison Mr. Blunt must have the very opposite effect, and it was to be feared might goad them on to acts of violence and wrong.

The meeting over, I bade farewell to the Bishop and my other friends, and returned to Dublin by the night train and thence to England.

## CHAPTER VI.

## LETTERS TO THE 'TIMES.'

A FEW days after my return to England from attending Mr. Blunt's trial at Portumna, and after reflection on what I had seen and heard in Galway, I wrote a long letter to the London 'Times,' bringing up the information contained in my previous letter to the latest date, embodying the result of my personal inquiries and conclusions as to the merits of the case of the Clanricarde tenants, making good my complaints against Mr. Henn for his recent judgment, explaining the legal position of the tenants under the recent Land Act, showing that it provided no kind of remedy, and justifying Mr. Blunt for his action. I ended with these words, which I desire to put on record as a justification for my subsequent action :—

'All the past history of this and many other parts of Ireland shows that while wrongs of this terrible nature are inflicted there is gravest danger that individuals will be found to resist them by still more terrible revenge. It is the constant fear of the clergy of the district that some dreadful occurrence of this kind, not approved by the common feeling of the tenants as a whole, may rouse the indignation of the people of England against them. They believe that the opportunity of making public their grievances, the power of combination, and the influence which it is able to bring to bear upon individuals for their protection and restraint, and the sympathy which they now find is expressed for them by

Englishmen, when permitted by the authorities, alone prevent the occurrences which they dread. How inexpressibly sad is all this ! How shocking that it should be due to the ignorance and obstinacy of a single man, who knows nothing personally of the estate, and cares nothing for it except as a source of revenue ! Lord Clanricarde is not in the position of many Irish landlords, loaded with mortgages and charges, with little margin under the old rent whereon to live, where a reduction of rent will reduce their available margin to zero, and where they have small means with which to enter on a conflict with their tenants in combination. He is a man of vast wealth independent of his Irish property, and without encumbrance. He can afford any expenditure necessary to crush resistance. He could reduce his property to a wilderness by evicting all his tenants and still be a rich man. The case is of all the more importance as he is fighting the cause of all the worst landlords of Ireland. They are looking on while he engages with the enemy. If he should succeed in evicting his tenants or in driving them from the soil, there are great numbers of properties in Ireland where the result will be disastrous to the tenants, and where the heavy hand of the oppressor will be strengthened and made all-powerful. On the other hand, if a just settlement could be effected, there will be thousands of tenants elsewhere who will be relieved at the same time. The case is a test one of infinite importance beyond its own district, and to none is it more important that it should be settled speedily than to the better landlords of Ireland. Under the present law, strengthened by the ejectment clauses of the Land Act of last year, and enforced by Mr. Balfour, not only by all the powers of the common law backed by the forces of the Crown, but also by the Coercion Act, there is no remedy ; there is no hope for the tenants but an appeal to public opinion against the action of Lord Clanricarde and against the policy of the Government. This appeal must have its

origin in the district ; expression must be given to it by public meetings there ; and every one who has inquired there can come to only one conclusion, that such meetings, so far from leading to evil, tend to calm the minds of the people there, and direct their efforts to constitutional courses. These considerations appear to me to afford a full justification to Mr. Blunt for summoning a meeting at Woodford for the purpose, as he announced, of expressing sympathy with the tenants and detestation of Lord Clanricarde's conduct, and of bidding the former have patience till England should deal with their case. Had I been in Ireland and in the district at the time of the renewal of evictions, I should undoubtedly have felt it my duty to summon or attend such a meeting. It seems to me to have been most unjust on the part of the Crown and of the judge to have connected the meeting with the previous midnight meeting, and to have shut out all the other surroundings to which I have called attention. . . . .

'It also appears to me that the importance of giving expression to public opinion, and especially to that of the district, has been greatly increased by what has taken place since October, and by the knowledge we now have of Lord Clanricarde's intended ejectment campaign on a vast scale. This being so, I should feel myself wanting in moral courage if, with the special knowledge I have acquired through the last few years of the case and of the district—if, with the firm belief that a terrible wrong is about to be perpetrated, I were to neglect any step which is necessary to save these unfortunate tenants from the fate which is impending over them. I have, therefore, intimated to my friends in the district that, unless there is reason to believe that this campaign of ejectment is abandoned, I will, whenever they may think it expedient, again cross the Channel and preside over or speak at a meeting to be called at some central point of the district, where the people may have the oppor-

tunity of stating publicly their grievances and of preparing a petition to Parliament. I will also, if no better exponent be found, present their petition and lay their case before the House of Commons. Such a meeting would, I feel no doubt, be free from all the objections raised by Mr. Henn in the recent trial, and, if proper conditions are observed, will be unassailable in point of law or policy by Mr. Balfour and his subordinates. At all events, I am prepared on my own responsibility, and without involving any of my political friends, to assert the constitutional right of public meeting within the law, and to do my best to save the Clanricarde tenantry from a great wrong.’<sup>1</sup>

After a fortnight’s delay Lord Clanricarde, through the pen of his agent, Mr. Tener, made a reply, in which he maintained the justice of his past action, explained the offer which he had made to the tenants in April 1887, added to it the further terms which he had proposed in September 1887, and endeavoured to controvert some of my statements. The offer of September 1887 was to the effect that he was prepared to accept a half-year’s rent at once as a present payment and give time for the balance. This was obviously a mere postponement of the question in dispute, and the relegation of the remaining rent due to arrears. There was nothing, therefore, in the letter substantially at variance with the account I had given—namely, that the only offer of abatement of the two and a half years’ rent then due was 20 per cent. of a single half-year, equal to 4 per cent. of the total sum due. He asked how it was that I had never alluded to the case of Sir Henry Burke’s tenants in the neighbourhood of Woodford, ‘who had also rejected most liberal offers, and who were on strike, so to speak, equally with the tenants of Lord Clanricarde.’

He endeavoured to show that many of the tenants were anxious to throw over the tyranny of the League, that some

<sup>1</sup> Letter to the *Times*, January 16, 1888.

of the evicted tenants cursed the authors of their misery, and that tenants not unfrequently paid their rents secretly in spite of the combination. This is to be explained by the fact that in such cases there are generally to be found a few timid persons who are anxious to stand well with both sides. Mr. Tener's letter ended with these ominous words:—

'All tenants of the Clanricarde estate who will honestly discharge their debts, even by small payments, can rest undisturbed in their farms, and able to obtain the benefits of the recent land legislation so favourable to their class. But with no doubt as to my duty, and without hesitation or delay, I shall require them to surrender the property which they hold if they do not fulfil the conditions of their tenure.'<sup>1</sup>

The correspondence closed with a reply from myself, dated February 3, 1888, which, owing to an unfortunate misunderstanding with the Editor of the '*Times*,' was not inserted in that paper. It appeared, however, in the '*Freeman's Journal*.' To the readers of the '*Times*,' Mr. Tener's letter remained unanswered, and my explanations of my intended action in going over to Loughrea to hold a meeting there, so important as a personal vindication, were withheld.

I undertook in this letter to prove, if necessary, the substantial accuracy of all my previous statements. I showed that Mr. Tener's account of his offers to the tenantry did not differ from the account I had given of them, and that his offers were illusory, and such as could not be expected to form the basis of an arrangement. I pointed out that he had made no answer whatever to the greater part of my statements, and especially to that where I had alleged that Lord Clanricarde had never made to the tenants the offer of abatement which he had made to Sir M. Hicks-Beach, or that other landlords of Galway had been making abatements of from 20 to 30 per cent. throughout the whole period of

<sup>1</sup> Letter to the *Times*, February 1, 1888.

depression; nor did he deny that Lord Clanricarde was entering upon a new campaign of ejectment, and had already issued several hundred processes.

‘My contention,’ I concluded, ‘is that the campaign of ejectment thus commenced is as unjust as the evictions which took place in 1886, and which after the recent trial were universally condemned, and nowhere more emphatically than in the “Times,” where Lord Clanricarde’s conduct to his tenants was described as “incredibly base.” I have shown that the Land Act of last year provides no remedy for such a case, as it gives no power to the Land Commissioners or to the County Court judges to make reasonable abatements of arrears of rent, and only gives an illusory power of spreading them over a period which has been construed in a very limited sense.

‘What is a reasonable abatement has been judicially decided within the last few days on high authority. An adjoining property to Lord Clanricarde’s, near Loughrea, has come under the control of the Landed Estates Court, on the petition of creditors for its sale. The tenants were three years in arrear of rents; they applied to the Court for abatement, alleging the fall of prices. The judge, after hearing the representations of the owner and creditors, awarded what was practically an abatement of 33 per cent. of the rent due, with six or twelve months’ time for payment. There are many other cases of the same kind before the same judge. We have, therefore, on the one hand, the judge of the Landed Estates Court giving an abatement of 33 per cent., and, on the other hand, Lord Clanricarde offering only 4 per cent., and the judge of the County Court is compelled to issue decrees of ejectment against one co-owner in favour of the other, without any power of making the abatement which to the higher Court seems reasonable and just.

‘I have come, then, to the conclusion that there is no



prospect whatever of an arrangement being arrived at of an equitable character between Lord Clanricarde and his tenants, and that the fault lies with the former and not with the latter. The ejectment processes are this very week being proceeded with by wholesale ; and, through his agent, Lord Clanricarde announces that, "without doubt as to his duty, and without hesitation or delay, he will require his vast body of tenants to surrender the property which they hold if they do not fulfil the conditions of their tenure." In other words, a whole district is to be depopulated at his instance. . . .

'The only remedy that can now be looked for to save this large population from the fate which is impending over it is the pressure of public opinion on Parliament and on the Executive Government. If a remedy is to be provided, it must be within six weeks after the ejectment decrees, and before the paper notices are issued under the Act of last year, which so fatally facilitated evictions, and which will place the tenants completely at the mercy of the landlord, and deprive them of all right save that of redemption within a short period.

'It is doubtless in this view that many hundreds of the tenants on the property have signed and forwarded to me an address, asking me to fulfil the promise which I made in my letter to the "Times" of January 19, that if the campaign of ejectment were proceeded with I would hold a meeting on their behalf at some central point of the district. I have felt it my duty to reply that I will comply with the request, subject to certain conditions, which I understand they have agreed to. The meeting will be held on Friday, February 10, at the most central place of the Clanricarde property, Loughrea. I shall myself preside over it. It will also be addressed by other Englishmen who have kindly volunteered to go with me, and by some representative men in the district. The proceedings of the meeting and the

resolutions to be submitted to it will be under my control. Its object will be to express sympathy with the tenants under the campaign of ejectment and eviction now commenced, and to petition Parliament for a redress of their grievances. I shall, on my part, impress on the people the duty of patience and a resort to constitutional remedies, and I shall explain the direction in which I think it will be possible to attain this object, either by legislation or amendment of the Act of last year, or by a change of action of the Executive Government.

‘It is also intended to appoint delegates at the meeting to represent the districts of Portumna, Woodford, Loughrea, and Athenry, where the Clanricarde property chiefly lies, and who will meet me in conference after the meeting and discuss the details of such remedies, so that I may be in a position to speak with authority on their behalf in Parliament or elsewhere. Stewards will be appointed to keep order. Every facility will be given to a Government reporter on the platform, if desired. I see no reason why the landlords of Galway should not be present. I know from personal communications that some of them disapprove of the proceedings I have referred to in terms as strong as any I have used, and no class is more interested in the just and speedy settlement of the case.

‘I shall act in no spirit of defiance, but under the belief that it is my right and that of the people of the district to hold such a lawful meeting under circumstances free from the difficulties which in my opinion have been most unfairly held to justify the prohibition of that held by Mr. Blunt and his subsequent prosecution. I believe I shall be doing my best to effect a settlement in a conflict of immense importance, the ultimate issue of which, if left undealt with, it is hard to predict—a settlement which will be a precedent in many other cases in Ireland.

‘No one who has visited the district—where there is but

one opinion among the people—can, I think, come to any other conclusion than that such a public meeting, so far from adding to public excitement and leading to disturbance or crime, will have the opposite effect by inducing patience and a resort to constitutional courses for the redress of grievances.’<sup>1</sup>

My letter was published by the ‘Freeman’s Journal’ on Saturday, February 4, and I had made arrangements by which copies of it were placed the same day in the hands of the magistrates and the head of the police at Loughrea, at the same time that public notices of the intended meeting were posted in the town, so that the authorities might have full information as to the objects of the meeting proposed to be held there at the same time as they were informed of the meeting itself.

<sup>1</sup> Letter to the *Freeman’s Journal*, February 4, 1888.

## CHAPTER VII.

## THE MEETING AT LOUGHREA.

ON Sunday evening, February 5, in pursuance of my announced intentions to hold a public meeting at Loughrea for the purpose of protesting against the intended evictions of Lord Clanricarde, I crossed the Channel with two personal friends (Mr. MacDonald and Mr. Vivian), and arrived at Dublin on Monday morning, where I spent Monday at the house of the late Mr. Dwyer Gray, M.P. In the course of the day I met in consultation at Mr. Gray's several gentlemen who were interested in my mission to Loughrea, including some who had volunteered to attend the meeting there. Among them were Mr. Walker, Q.C., Mr. Dwyer Gray, M.P., Mr. Alfred Webb, and others. I explained to them my objects and the method I proposed to adopt so as to insure the holding of the meeting. Some one suggested that it might be well to make a communication of my intentions and objects in holding the meeting to the authorities of the Castle. I declined most positively to do anything of the kind. I said I had nothing to add to my public declarations ; that my letter as published in the 'Freeman's Journal,' and which had been placed in the hands of the authorities of Loughrea, was a sufficient explanation, and, indeed, all that I could give ; and that any private communication to the Castle would be misinterpreted by the public.

By this time I had received letters from several members

of Parliament and others announcing their intention, without any suggestion on my part, of being present at the meeting. They included Mr. Brunner, M.P.; Mr. Rowntree, M.P.; Mr. Wilson, M.P.; Mr. T. Ellis, M.P.; Sir James Carmichael, Bart.; Mr. Plimsoll; Mr. T. A. Dickson, who has since been elected for the St. Stephen's Green division of Dublin; Mr. Alfred Webb; Mr. Spence Watson of Newcastle, and others—a list the mere publication of which was a guarantee that the meeting would be of a most influential and moderate character.

I left Dublin by the afternoon train for Ballinasloe, and thence drove by car to Loughrea, where I was again received and hospitably entertained by the good Bishop of Clonfert. My objects in going to Loughrea a few days in advance of the date fixed for the public meeting were these. I wished to be present at the sittings of the County Court under Mr. Henn held that week, at which the ejectment processes issued in such vast numbers were to be heard; I should then have the opportunity of meeting and conversing with tenants from all parts of the Clanricarde property, who would come to Loughrea for the hearing of their cases; I desired also to avoid all demonstrations on the way, and to be on the spot in anticipation of any action the Government might take to prevent the meeting; and I also proposed to make every arrangement for holding the meeting without the possibility of disturbance or conflict with the police in the event of the Government proclaiming it.

In an interview with some representatives of the Press on the day after my arrival at Loughrea, which was reported in the papers, I spoke as follows:—

‘I wish it to be distinctly understood that my object in holding the meeting is not to aggravate the position of things or to widen the breach between those whom it is a misnomer any longer to call by the names of landlord and

tenants, but who are co-owners of property, of which one is the occupying owner and the other the rent-receiving owner. Indeed, the very reverse is my object. I feel as strongly as any one the expediency of a settlement between these two parties. In all that I have said and done since first I visited this district I have kept this in view. I have impressed it strongly on the representatives of the tenants, and I have satisfied myself that there is no real obstacle to a just settlement of the case on their part, and that they are ready to make sacrifices for the purpose, and not to insist upon the full terms of their demands. So far as I have been able to judge from Mr. Tener's attitude, there has been as yet no similar disposition on the part of Lord Clanricarde. On the contrary, arrangements for a campaign of ejectment on a vast scale are now being proceeded with, and the uncompromising expressions of Mr. Tener's letter to the "Times," in which he said that he should feel it his duty without hesitation and without delay to call upon the tenants to surrender their property unless they were prepared to fulfil the conditions of their tenure, point to a disposition the very opposite. It was under these circumstances that I received an address signed by many hundreds of the tenants asking me to fulfil the undertaking I gave in the "Times" to preside over a meeting. In my address to the meeting, however, I shall still bear in mind the necessity for a settlement. My hope and belief is that the meeting will operate in this direction; and the fact that so many Englishmen are prepared to come over to Ireland at such a time and at a considerable risk, for the sake of showing their sympathy with the tenantry, and that such deep interest is felt in the case in England, will, I believe, do much to persuade the landlord and his friends that public opinion will not brook the depopulation of a district, and that the time has come for a settlement on a broad and generous basis. I hope that, while pre-

serving the general tone of moderation at the meeting, we shall at the same time impress the tenants with the conviction of our sympathy and determination to see them through their present difficulties. But whether this is to be effected by legislation, or by the action of the Executive, or by agreement with their landlord, I feel that the first step is that we should be able to speak and act with authority on behalf of the tenants. I know of no way in which this authority can be given otherwise than by a public meeting. The mere fact also that my account of the dispute concluded with the announcement of a determination to hold the meeting, has done more to induce the public in England to read the case, and to form a judgment on it, than a hundred letters without such an announcement could have done. Having made the promise, I feel that I am bound to fulfil it under the conditions that I have laid down.'

It appears that on the same day on which I spoke these words, there was a meeting at Loughrea of several magistrates from the surrounding districts, and of the County Inspector, to consider what course they would advise the Government to take with reference to the intended meeting. It was alleged that there was much difference of opinion among them. Reports from the sub-inspectors of the district were presented, and many of them stated that there was a disposition on the part of the tenants to settle if a reasonable offer were made. In consequence of this difference no course was recommended to the Government, but the magistrates separately sent their opinions to the Castle. It appears also that on the same day (Tuesday, February 7), Mr. T. A. Dickson, who intended to be present at the Loughrea meeting, called at Dublin Castle without my knowledge, and had a conversation on the Clanricarde case with Sir West Ridgeway, the Under-Secretary. The Attorney-General for Ireland, in the course of the subsequent trial of Mr. Blunt's civil action against Mr. Byrne, referring to this interview, said

that 'Mr. Lefevre had taken care to send an emissary to the Castle to promise to be of good behaviour.' Mr. Dickson wrote at once to the Irish papers to denounce this as an audacious falsehood. He added that, in his interview with Sir West Ridgeway, he simply pointed out that if the meeting at Loughrea, called by the tenants of Lord Clanricarde for the legitimate object of giving expression to their grievances and demanding redress, were proclaimed and prevented, the crisis there would be seriously aggravated, and a settlement of the question would be hopeless.

It is very improbable that what Mr. Dickson said really influenced the Government, or that they thought he came on my behalf. Had this been the case, they would have communicated to him or to me their intention to allow the meeting upon such representations. No such communication was made, and till the very last moment we had not the slightest indication at Loughrea whether the meeting would be permitted or not.

Meanwhile I spent the four days at Loughrea in making further inquiries into the position of the dispute, and into other events which had occurred since my last visit. It appeared that ejectment processes were being issued by Lord Clanricarde by wholesale, over the length and breadth of his great property. No fewer than 500 to 600 such processes had been served, and many of them had already been heard and decided; 150 of them were before the County Court then sitting at Loughrea. I spent some hours in listening to these cases.

They threw much light upon the management of the property, and the knowledge in the estate office of the condition of the estate and the position of the tenants. It would be difficult to convey an adequate impression of the confusion in the affairs of the property and in the rental books. In a great proportion of cases a far larger amount of rent was claimed than was really due to the landlord. As a



great number of the cases were undefended, and verdicts were taken for the amounts claimed, it is probable that decrees have been issued in a large number of cases for amounts considerably beyond what was really due. The tenants, as a rule, raised objections only to the amounts claimed or to some technical points. They made no application under the Act of 1887 for spreading the arrears over a period. They held this provision to be illusory and worthless ; they disputed the justice of the arrears claimed ; and they intended to maintain their combination, and to resist payment in full of arrears to the last, unless reasonable abatements were made.

Not a few cases were dismissed on technical points, showing the grossest errors on the part of the landlord ; and many a victory was scored by the counsel who appeared for the tenants, to their inexpressible delight. It would be difficult, however, to exaggerate the degree of alarm and terror which Lord Clanricarde's action caused, as decrees were obtained by the score with accumulated costs, and with the terrible uncertainty as to when and upon whom the next blow of actual eviction would fall. Meanwhile, Mr. Tener, as the agent of the property, and the police on behalf of the authorities supporting him with coercion, were harassing the people to the utmost—the former by making frequent and unexpected raids upon the tenants' farms, sweeping away cattle and anything he could find in distraint for rent ; the latter by capricious selections for prosecutions under the Coercion Act.

I have already described how the midnight meeting of October 16 was made use of to send many of the leaders of the tenants to gaol. Some of them had come out of prison since my last visit, and their return home had been the occasion of rejoicing and demonstrations, which again afforded the opportunity for prosecution, and for selecting those whom it was desired to send to prison. Notably was

such the case when Mr. T. Egan came out of gaol. An impromptu meeting of neighbours was held to welcome him home again. A bonfire was made at the cross roads near his house, and a short speech was made by Mr. John Roche. While he was speaking, some one threw a stone at a policeman. The policeman was not hurt, and there was no further disturbance. Mr. Roche at once protested against such action in the strongest terms, and his advice prevented any further disturbance. But this slight matter was made the excuse for treating the meeting as an unlawful one. The police knew and could recognise every one of the 200 to 300 people present. They selected twelve persons out of the number for prosecution ; chief among them was Mr. John Roche. On what principle the others were selected has not been explained. In the case of one of them I was assured that he was in a car with another man ; they stopped near the meeting, but not near enough to hear Mr. Roche's speech. Both came from Woodford, and were equally well known to the police. One of them was prosecuted and sent to prison for three months ; the other was allowed to go free.

For this most harmless affair twelve men were sent to prison, most of them for a month, with hard labour. Mr. Roche, however, was singled out for a sentence of three months' imprisonment. He appealed, and his case has since been heard and decided by Mr. Henn. A conviction followed as a matter of course. His counsel asked that he might be treated as a first-class misdemeanant, alleging as a reason for this that his health would certainly not stand another term of imprisonment, as he was most delicate, and his lungs were already seriously affected. Mr. Henn, from the report of the proceedings, appeared to be unaware of the difference between the treatment of a first-class misdemeanant and that of an ordinary prisoner, and, when this was pointed out to him, held that he had no power to direct

imprisonment under the first class. A precedent was then quoted in which Mr. O'Connor Morris had directed Mr. Hayden to be imprisoned as a first-class misdemeanant. Mr. Henn declined to act on this, saying that he had heard this decision much questioned in certain quarters !

This refusal nearly cost Mr. Roche his life. He was sent to prison for the third time under the capricious action of the Coercion Act. He was not in prison long before he broke down under the harsh treatment of an ordinary prisoner ; and the authorities were compelled to release him, when he was on the point of death. No more clear case of persecution has ever been brought under my notice. Among other actions taken against him was this. Two summonses were served upon him for trespassing upon the deserted and uncultivated farms of Lord Clanricarde, from which their tenants had been evicted. Mr. Roche had shown Mr. and Lady Anne Blunt over these scenes of desolation, and for this he was summoned and fined by the local magistrates. He refused to pay the fines, and on being let out of prison, when at death's door, another warrant of arrest was issued against him, and was only not executed because it was physically impossible to remove him to gaol. When I mentioned Mr. Roche's case in the House of Commons, Mr. Balfour justified or excused this persecution, on the ground that Chief Justice Palles, in the civil action of Mr. Blunt, on the evidence of a policeman, attributed to Mr. Roche some strong language two years previously which might be interpreted as inciting the people to violence. Mr. Roche had no opportunity of meeting this evidence. He denies altogether the meaning attached to his words.<sup>1</sup>

My own conversations with Mr. Roche have led me to the

<sup>1</sup> The charge against Mr. Roche was that at a public meeting in 1885 he used the expression, 'the landlords have had their Balaclava, but the day will come when the people will have their Fontenoy.' Balaclava was the nickname of a process-server, Finlay, who two

conviction that he is quite incapable of inciting to any criminal course such as was imputed to him. This is also the opinion of other English members of Parliament who have visited Loughrea, and who have made acquaintance with Mr. Roche. I have also learned from eminent ecclesiastics in his district that his private life and irreproachable character are guarantees that he would be incapable of harbouring even in thought the imputations uttered against him. There cannot be a doubt that his real offence, the cause of all this persecution, consisted in his being Secretary to the Tenants' Defence Association at Woodford. As such he was undoubtedly one of the main supports of the combination ; but in this capacity he was also most reasonable and very anxious for a settlement. It will be seen later that I was able through Mr. Roche to bring about a settlement of a most satisfactory character between Sir Henry Burke and his 800 tenants.

The conviction was forced on me by the cases I have thus referred to, that the Coercion Act is being used as a means of putting down the expression of public opinion in the interest of one of the parties to the agrarian disputes ; and that men are prosecuted and convicted for attending meetings declared to be unlawful, because they are leading men of the tenants, and are concerned in combinations ; and thus indirectly, even if unintentionally, the Act is used to assist landlords in the collection of arrears of excessive rents. It is only in this way that I can explain the capricious and arbitrary selections of persons for prosecution and conviction. I will undertake to say that if juries fairly chosen in any part of the United Kingdom had tried the 100 men of Woodford months later was murdered. It appears to me to be absurd to hold that the language amounted to a threat or incitement against Finlay. The obvious meaning of the words was that the landlords would suffer some future day for their present policy of eviction.

alone who have been sent to gaol, scarcely a single one of them would have been convicted. The conclusion forced upon me is that of all the bad clauses of the Coercion Act the worst is the abrogation of Trial by Jury. Practically there is little difference between the working of the Act and that of the Act of 1881, when the Government was entrusted with the power of imprisoning any person it thought expedient ; the same arbitrary power of selection is now exercised, not perhaps by the Chief Secretary, but by the local authorities and under the fiction of legal proceedings. The law is thus brought into contempt.

On Thursday evening all my various friends who had volunteered to attend the great meeting on the following day arrived at Loughrea, and we had a long consultation as to our proceedings. We had still no information as to the intentions of the Government, whether the meeting was to be permitted, or to be prohibited and dispersed. I laid before my friends my plans for holding the meeting, in spite of any action that the authorities might take to prevent and disperse it. I was determined, on my part, that the character of the meeting should be perceptible to all the world, and that the speeches which we proposed to make should be delivered and published. I intended to appeal to public opinion against the action of the Government, if it should prohibit the meeting, a course which I believed to be illegal and unconstitutional in the highest degree.

My only fear in the matter was lest there should be a conflict between the police and the people, for which I should be held personally responsible, and I was determined to avoid this by all possible means ; but I was equally determined that the meeting should be held, and that the Government, if it decided to treat the meeting as illegal, should be put to the legal proof by criminal proceedings against those taking part in it. The people of this district have been so well drilled in meetings, whether permitted or

prohibited, that they were under perfect discipline ; and with the aid of Father Meagher, Father Coen, and Father Egan, and of other lay leaders of the people, all the necessary arrangements were made, and I have not the slightest doubt that the meeting would have been held in spite of any proclamation of the authorities, and without any conflict with the police. My friends all agreed with me in the course I proposed, and were prepared to take the risk, whatever it might be.

The risk, I admit, was not inconsiderable, for it is absolutely certain that if the Government had determined to treat the meeting as an unlawful one, their agents, the resident magistrates, would have decided the question in the manner desired by them, and I doubt not we should all have been sent to prison as ordinary malefactors.<sup>1</sup> There would, however, have been an appeal to public opinion ; and on the issue whether five English members of Parliament were rightly sent to prison as ordinary criminals for insisting on their right to hold a meeting to protest against Lord Clanricarde's conduct, there can be little doubt what the verdict would have been.

It was not till nine o'clock the next morning that the intentions of the Government with respect to the meeting were announced. The chief of the police in the district called upon me, and informed me that he had just received orders from Dublin to permit the holding of the meeting, and he asked my opinion as to what course the police should take—whether they should appear on the ground for the purpose of keeping order or not. I strongly advised him to

<sup>1</sup> In a recent speech at Croydon, Mr. Goschen, speaking of these proceedings at Loughrea, and referring to a former colleague, said that 'Mr. Shaw Lefevre would certainly have been treated to a "plank bed" if he had broken the law.' It is satisfactory at least to know that the Government carefully scrutinised my actions and language, and found them to be strictly lawful, even when measured by their own standard.

confine his police to their barracks throughout the day, and not to show them at the meeting. I held myself and my friends responsible for the maintenance of order. My advice was followed. Not a single policeman showed himself, and, as a result, there was the most perfect order and quiet, and the day passed off without the slightest disturbance of any kind. How different from Mitchelstown and many other cases !

In the interval between the visit of the inspector of police and the meeting, two very interesting and most unexpected incidents occurred. Sir Henry Burke, the owner of one of the largest estates in the district, sent his brother to Loughrea to see me, and to endeavour to enlist my intervention, on his behalf, with the great body of his tenantry, who had adopted the Plan of Campaign, and had paid no rent for two and a half years ! I had already received a suggestion of the same kind from a solicitor at Dublin, Mr. Morris, the brother of Chief Justice Morris. Sir Henry Burke apologised for not coming himself ; he would have done so had his health permitted. He evidently thought that, as the meeting was not to be prohibited, it might be well to utilise my influence with the people, and effect a settlement with his tenants. I discussed the position of affairs with Mr. Burke, and found that there was not such a difference between what Sir Henry Burke was inclined to concede, and what the tenants were supposed to be ready to take, as to make a settlement hopeless. I promised to see the leading men of the tenants, and to endeavour to bring about a settlement. I did so. I found that Mr. John Roche was the man with most influence with them. I had a long conversation with him and others on the subject.

I soon found that the main difficulty in the case was that Sir Henry Burke, like many other Irish landlords, had hitherto refused to recognise any right whatever of his tenants to combine, and had declined any negotiation with them as a body. He had issued notices from his estate office from

time to time, offering terms to those who would come in to them, but had never negotiated with the leading men of the tenants. While urging Mr. Roche and his friends to be moderate and conciliatory, I wrote to Mr. H. Burke, to the effect that I had reason to hope that if he would communicate directly with Mr. John Roche on behalf of his tenants, and treat him in a friendly and conciliatory spirit, an arrangement might be arrived at; adding that, if no agreement could then be come to, I would, on the application of both parties, act as arbitrator. Sir Henry Burke acted on my suggestion, and I had the satisfaction of hearing a few days later that through my intervention, and by Mr. Roche's efforts with his fellow-tenants, a final agreement was come to with Sir Henry Burke and his 800 tenants. An abatement of 25 per cent. on the arrears of rent was conceded; time was given for payment; but, most satisfactory of all to the tenants, the evicted tenants were replaced in their holdings, and a considerable sum was allowed for the cost of maintaining these evicted tenants during the combination; and all legal costs were foregone. A more complete vindication and justification of the combination of the tenants could not have taken place. Similar terms were conceded, a little later, in the cases of Lord Dunsandle and Lord Westmeath, other landlords of the district. There could be little doubt that similar concessions would settle the dispute between Lord Clanricarde and his tenants and the other remaining cases in this district.

Another incident of the same kind, and as little expected, but not brought to so satisfactory a conclusion, occurred on the same morning of the meeting. To the surprise of every one, a printed notice was posted throughout the district by Mr. Tener, making a far more generous offer to the tenants on the part of Lord Clanricarde than had ever before been made. It was strong testimony to the action and effect of public opinion, if allowed to have its full expression. There can be little doubt that it was



extracted at the last moment by fear of the open and full discussion which the meeting, when permitted, would give rise to. There can equally be little doubt that no such offers would have been made if the meeting had been suppressed and dispersed. On the face of it, it was an offer of an abatement of all arrears of rent to the amount of 20 per cent., but it was subject to the immediate payment of the balance, which very few, if any, of the tenants were able to do. It was also subject to exceptions which could not be accepted by the tenants. It applied only to tenancies below 50*l.* a year ; and, above all, it contained no stipulations for the reinstatement of the evicted tenants. The mistake which it seemed to me that Mr. Tener had made in issuing this notice was in not preceding it by negotiations with the leading tenants. Lord Clanricarde, however, had not yet arrived at the point of recognising the right of the tenants to combine, or of negotiating with their leaders.

So little time elapsed between the issue of the notice and the meeting that I was unable to ascertain the views of the tenants upon it. Those I consulted said it would not suffice, and that was also the view of Mr. T. A. Dickson, and later of The McDermott ; but, at least, it showed a disposition for the first time to make a real concession, and was in curious contrast with Mr. Tener's letter in the '*Times*' only ten days before, in which he had defended Lord Clanricarde's past offers as amply sufficient, and had adopted so uncompromising an attitude.

Already, however, the tenants of the district were crowding into the town. A procession of 1,500 tenants came from Woodford alone on horseback or on cars, preceded by bands of music. Other large contingents came from Portumna, Ballinasloe, and other places. The meeting was held in a field just outside the town, in a most admirable place for open-air speaking ; the sun shone brightly during the meeting, and the weather was most delightful.

We had measured out an angle of the ground the day before in selecting the point to speak from, and calculated that 6,000 people could fill it, and hear with ease. The meeting largely exceeded this space and was densely packed, and I have no doubt that more than 7,000 persons took part in it. The meeting was one of the most orderly and attentive I ever addressed. I presided myself. The meeting commenced by reading the address, signed by several hundreds of the tenants, asking me to hold the meeting ; and, as the case of the tenants could not be put in more earnest and simple language, I must give it at length :—

‘We, the undersigned tenants of the Marquis of Clanricarde, representing every district on his vast estates, beg most respectfully to thank you for the sincere sympathy you have displayed for us and your earnest efforts to bring our wrongs and sufferings home to the minds and the hearts of the people of England. We are and have been throughout the struggle most anxious for a general and reasonable settlement with our landlord on such reductions as all fair-minded resident landlords have allowed their tenants ; but this has been steadily and harshly refused, and no alternative has been offered but pay or go—that is to say, the payment of rents which the depression of the times has made impossible, or wholesale eviction. At present, evictions stare us in the face ; ejectment notices have been issued wholesale, and hang in bundles on half the police barracks in the east riding of the county. Numerous decrees have been granted, and if the Government insist in putting them in force the whole country-side will be cleared of its inhabitants. Under these circumstances, we respectfully suggest that the time has come for you to redeem your generous promise to preside at an orderly and peaceful meeting held on the estate, which will make our miserable position known to the public and Parliament, and afford us some hope of constitutional redress.’

In moving myself the first resolution, I said that the address which had just been read was a complete vindication of the meeting, and was such as alone would have made it impossible for the Government to suppress it. I touched lightly upon the history of the combination and the past conduct of Lord Clanricarde. I purposely avoided saying anything to aggravate the position. Speaking of the combination, I said in the presence of the Government reporter, and expressing my hope that he would report it, that whatever might be the state of the law on the subject, the law ought to permit the free combination of tenants, and that, in my opinion, it was the only way in which they could protect themselves in such cases as the present. I thought also that great landlords such as Lord Clanricarde and Sir H. Burke made a great mistake in not recognising combinations of their tenants, and in not negotiating directly with them, instead of issuing notices from their rent offices without having made efforts to come to an agreement. I declined to express an opinion on the offer which had just been made, but I hoped that the tenants would consider it in a conciliatory spirit, and that it might form the basis of a negotiation. I pointed out its deficiency in one most important respect—namely, as regards the evicted tenants ; and I warned Lord Clanricarde that he could not hope to settle with his tenants except upon the terms of reinstating those who had been already evicted. This, I said, was a point of honour with the tenantry, and, in my opinion, rightly and justly so ; for they would not be justified as men of honour in abandoning those who had borne the brunt of the battle, or in coming to terms with their landlord without requiring that the evicted tenants should be reinstated. I discussed the alternative methods by which, in the absence of an agreement with their landlord, the question might be settled—namely, by legislation on the Arrears question, or by the action of the Executive in withholding the forces of the

Crown in aid of evictions, and in not supporting Lord Clanricarde with the powers of the Coercion Act. I pointed out how little distinction there was between the meeting and that held by Mr. Blunt, for holding which he had been so unjustly imprisoned, and I claimed that we had vindicated the right of public meeting. I concluded by saying that so long as they were moderate in their demands, were prepared to meet their landlord in a conciliatory spirit, and avoided crime, they would have the sympathy of people in England ; and I promised to bring their case before the House of Commons. The resolution which I moved was to this effect : ‘That this meeting desires to express its sympathy with the Clanricarde tenants in respect of the wholesale ejectments, which have recently been commenced for the non-payment of arrears of excessive rent, which the poverty caused by the depression of agriculture has made it not only impossible but unjust for the tenants to pay ; and it desires to express its hopes that a fair and just settlement may be arrived at, which will obviate the repetition of the distressing and painful scenes which must follow if the depopulation by force of an entire district is attempted.’

My friends from England supported this and other resolutions, condemning, among other things, the treatment of Mr. Blunt and the working of the Coercion Act, in a series of most able speeches. Seldom, indeed, have I heard so high a level of speaking at an open-air meeting. Finally, a petition to Parliament was agreed upon to this effect : —

‘That, owing to the great and almost unexampled fall of prices of live stock and produce during the last three years, the tenants were unable to pay their full rents, and that they were quite willing, and have always during the said time been willing, to pay their rents with such reasonable and necessary abatements as all considerate land-

lords have been granting to their tenants without external pressure.

‘That Lord Clanricarde during the said period has persistently refused to make such reasonable or necessary abatements, and has insisted upon the payment of impossible rents.

‘That, in consequence of the inability of the tenants to pay their full rents, arrears have accumulated, and that Lord Clanricarde has now commenced proceedings of ejectment in a wholesale manner, and threatens to clear the country of the tenants if the arrears are not paid.

‘Your petitioners pray that your honourable House will pass such measures in amendment of the Land Act of 1887 as will enable the Land Commissioners to deal with arrears in a just and reasonable manner and with due regard to the interests of the tenants in their holdings, as has been done in the case of the sister country of Scotland, and will thereby enable the tenants without fear of eviction to avail themselves of the provisions of the Land Act of 1887.’

With this the meeting closed. The people dispersed in perfect order and quiet ; there could not possibly be stronger testimony to their self-control, and to the policy of allowing free expression of opinion at public meetings. Our task was over. We had established most important points—the right to hold a meeting in the heart of a proclaimed district, and in what was held to be the most disturbed part of Ireland, to protest against the conduct of a great landlord, and to express sympathy with the tenants even though they should be engaged in the Plan of Campaign. We had maintained the right to discuss the conduct of the landlord. We had vindicated the right of public meeting, which had been most unjustly and cruelly abrogated in the case of Mr. Blunt.

After the meeting we all met at the hospitable board of

the Bishop of Clonfert. I shall not soon forget the eloquent and sympathetic speech in which the Bishop reviewed the work of the day, thanked us all for the part we had taken, and bid us God speed in the work still before us in Parliament on this and other matters affecting his country.

## CHAPTER VIII.

## THE SEQUEL AT LOUGHREA.

ON my way through Dublin, returning from the Loughrea meeting, I spent a day in listening to the proceedings in the civil action of Mr. Blunt against Mr. Byrne, the Constabulary officer, who had assaulted him at the Woodford meeting. The action substantially raised the same issue as in the previous trials—whether the meeting which Mr. Blunt attempted to hold was lawful or not, and whether the authorities were justified in prohibiting and dispersing it by force. The only difference was that the issue was now to be tried by a jury, and not by two resident magistrates.

Mr. Blunt was brought up from Galway Gaol to give evidence. Sitting by me in Court, he was for the first time for six weeks able to talk to a friend. He told me of his prison experiences. The imprisonment had been carried out with rigour, apparently by express orders from the Prison Board at Dublin—the smallest details being referred there for orders. He had been treated as any ordinary felon or pickpocket. No books of any kind were allowed to him, and no writing materials with which to occupy his mind. To a man of education and refinement this deprivation of all mental occupation is infinitely greater punishment than if hard labour were awarded, and renders imprisonment as an ordinary criminal most severe and almost unbearable.<sup>1</sup>

It made me blush as an Englishman that this should be

<sup>1</sup> See Appendix A. Mr. Blunt's Prison Treatment.

the prison treatment for a purely political offence, and that Mr. Blunt should appear in the prison garb in the witness-box. It was my deliberate conviction that in attempting to hold his meeting at Woodford he did no more than I had more recently done with impunity, and had been actuated by the same motives, the same sympathy for the tenants, the same wish to bring about a settlement between them and their landlord, and the same conviction that this could only be effected by bringing public opinion to bear on the case.

The district was not more disturbed when Mr. Blunt was there, than later, when the meeting at Loughrea was held. If anything, the condition of the district was more critical and dangerous at the later period. It is true that fresh evictions had actually taken place a short time before Mr. Blunt's meeting; but a campaign of ejectments on the largest scale had been since commenced, and the countryside was seething with indignation, and was in great alarm at the later period. The objects of both meetings and the terms on which they were held were the same. His meeting was no more connected with the previous midnight meeting than was mine. Mr. Blunt had undertaken that there should be no speakers at his meeting but Englishmen; he had given his personal undertaking that the speeches should be moderate, and that nothing illegal should be done. I had myself refused to give any undertaking of this kind.

Why, then, should Mr. Blunt be in prison as an ordinary malefactor, and I and the other members of Parliament, who were with me, free and permitted to speak to the people of Loughrea? Such difference of treatment is the very essence of arbitrary and capricious rule, and would not be tolerated for a moment if a jury intervened between prosecution and conviction. It is true that Chief Baron Palles, by admitting evidence of everything that had occurred at Woodford in the way of disturbance and crime for years previously, and



excluding all evidence bearing upon the main question at issue—namely, the action of the landlords towards their tenants—appeared to be of opinion that the meeting of October 23 was an unlawful one ; but the ablest of judges are bad substitutes for jurors, and eleven out of twelve special jurymen of Dublin, a majority of them Protestants, were of an opposite opinion, in spite of the judge's charge. Doubtless they did not feel themselves bound by the same rigid rules of law to exclude all the surrounding circumstances from their consideration.

Whatever, however, were the opinions of Chief Baron Palles on the main issue—the lawfulness of the meeting—it is clear that he would have been better satisfied if a merely nominal sentence had been passed on Mr. Blunt. His charge relieved Mr. Blunt from all the unjust imputations cast upon him by Mr. Henn ; it is evident that he considered Mr. Blunt to be ignorant of the conditions which might have justified the Government in concluding that the meeting would lead to intimidation. The Crown lawyers, however, pursued Mr. Blunt throughout the trial, as before, with extreme bitterness, and with the determination to raise every prejudice against him. It is to the lasting discredit of the Government that, after this charge of the Chief Baron, they should have allowed Mr. Blunt to be returned to prison as an ordinary criminal, and to be treated for the remainder of his term with the same harshness and indignities as before.

I was very anxious to see Mr. Blunt in private, and I therefore called on Sir West Ridgeway at the Castle, to ask permission for an interview with the former at Kilmainham Gaol. I was referred to the Prison Board, but none of its members were in Dublin, and I failed to get leave. In my interview with Sir West Ridgeway the conversation turned upon the recent meeting at Loughrea. He said that the Government had not expected any evil effects from it; they

had reason to believe that an agreement would soon be arrived at between Lord Clanricarde and his tenants for the purchase of their holdings under Lord Ashbourne's Act. To this I replied that I had heard nothing whatever on the spot of any suggestions or negotiations in this direction, and it was very strange, if Lord Clanricarde contemplated anything of the kind, that he should have issued so many hundred processes of ejectment. 'That is the way they do things in this country,' said Sir West Ridgeway; 'they open negotiations by a declaration of war!' A very belligerent view of the position, but perhaps what is to be expected of a military man who has been appointed to what is, or should be, a purely civil post, that of Under-Secretary to the Irish Government.

There are many, I believe, who think it is only by purchasing out the landlord under Lord Ashbourne's Act that the dispute between Lord Clanricarde and his tenants can be settled. I cannot myself see the expediency of lending public money to enable such a landlord to force better terms upon his tenants; nor do I believe in the necessity for it. So far as I was able to form an opinion, there is no impediment whatever to a just and fair settlement, on the part of the tenants, upon the basis of rent. I was not a little surprised to find how strong is still the old feudal feeling on the part of the tenants to the family, with whom they have been connected for so many centuries. It is my confident belief that if Lord Clanricarde were to announce his intention to return to his property, and to take his part as a resident landlord, and were to treat collectively with his tenants upon terms such as most other landlords have conceded, he would be welcomed with joy and acclamation, and all the ill-feeling of the past would speedily be forgotten. There is, I am certain, no strong feeling against the relation of landlord and tenant, or rather that of co-owners, and no desire to avoid the payment of a just rent; on the con-

trary, much remains of the traditional feeling, which might develop into happy relations were the landlord to become a resident and to take interest in the welfare of the district.<sup>1</sup>

On my return to London I took the earliest opportunity in the debate on the Address of bringing the case of the Clanricarde tenants before the House of Commons, on a motion calling upon the Government to pass a measure dealing with arrears of rent. I stated in substance the main points of the whole case. The Chief Secretary, in his reply, made no attempt to controvert my facts. He did not pretend to justify the proceedings of Lord Clanricarde; he admitted in his argument all that had been said against the management of the property, and the unjust treatment of the tenants, but he resolutely declined to propose any legislation on the subject of arrears. His speech gave no hope of any remedy. He threw the responsibility for a failure to deal with the question of arrears in the Land Act of 1887 upon the Irish members, who had rejected the bankruptcy proposals. It appeared from his speech that the Government was prepared to permit and support wholesale evictions on this estate, when Lord Clanricarde should desire to enforce them. My motion was rejected by a majority of eighty, and the hope of the Clanricarde tenants of redress from the present Parliament, through legislation on the subject of arrears, was dispelled.

In the six months which have elapsed since my visit to Loughrea no further approach to a settlement has been made. The tenants found themselves unable to accept the offer held out to them on the day of the meeting. In the opinion of men well qualified to form an opinion, such as The McDermott and Mr. T. A. Dickson, the offer was not one which was intended to lead to a settlement, or even to a negotiation. It was apparently issued for the purpose of taking

<sup>1</sup> This was written before the recent wholesale evictions.

the wind out of the sails of the meeting, and with a view to public opinion in England. Lord Clanricarde had not, in fact, arrived at the first and essential condition of agreement by consenting to deal with his tenants collectively; he still adhered to the plan of issuing a ukase from his rent offices, without consultation or negotiation. Since then no further step has been taken by him towards a settlement.

No more evictions, however, took place there for many months. There were good reasons for their not being carried out at once. Under the Land Act of 1887, notices, can be issued within a short time after the decrees of ejectment have been obtained, turning the tenants into mere caretakers or tenants at will. After these notices the tenants can at any time be evicted in a very summary manner, but there are still six months from the date of the notices during which the tenants have the right of redeeming their holdings, on payment of arrears of rent and costs, and it would not be safe for any landlord to evict during this interval, as he might be held accountable for the profits by the law, and in any case could not find new tenants for this interval.

It was not, therefore, till the end of August that Lord Clanricarde found himself in a position to renew his evictions on any large scale. But as soon as the six months had elapsed from the issue of the first batch of notices, Mr. Tener again commenced operations. He appears to have had no difficulty in persuading Mr. Balfour and the Irish Government to lend the forces of the Crown to Lord Clanricarde for wholesale evictions. No conditions, it would seem, were exacted that reasonable offers of abatement, such as other landlords in the county had given their tenants, had been made prior to such aid being given. It will be recollected that Sir M. Hicks-Beach, while not going the length of saying that he would in no case lend the forces of the Crown, intimated that, if no reasonable abatements were made, he

would postpone doing so till the latest possible date, and till all other demands upon him were satisfied ; he also said that when it became necessary to proceed to eviction in order to maintain the right of property, the proper course would be to select a few leading cases in which the tenants were well able but declined to pay.

Mr. Balfour, it will be seen, laid down no conditions of this kind, and apparently had no hesitation in supporting these wholesale evictions. Mr. Tener obtained from the Government a force of 150 police and 150 soldiers of the Scots Fusilier Guards ; and with their aid he succeeded in evicting the tenants of a whole township in the neighbourhood of Woodford, to the number of twenty-four.

The holdings were of various sizes, the largest being of 60 acres, with a rent of 40*l.* ; but the bulk of them were under 10*l.* The tenants, in some few cases, had stock on their farms of value sufficient to pay the claims made on them ; but in most cases they were very poor. Evidently no effort had been made to select only those holdings where the tenants were able to pay. The rents on the average were at about the rate of the valuation. In recent cases on this property the Land Commissioners had reduced the rents to 22 per cent. below the valuation. It may be taken, therefore, that in nearly all cases where these evictions were carried out, the rents since 1885 have been 22 per cent. higher than they ought to be. There was resistance to eviction in most cases. All the houses were barricaded. In some the resistance was very determined, and friends of the tenants joined in the defence, garrisoned the houses, and ejected hot water on the police and bailiffs. About 40 persons, including several young women and boys, were arrested and sent to prison. The arrangements of the police were carried out with great skill. The soldiers kept guard and prevented any strangers approaching the field of action except the reporters of the press.

In all cases, before final eviction Mr. Tener made an offer to the tenants to leave them in possession if they would pay a year's rent and costs, time to be given for payment of the remainder of the rent due. The tenants, on the average, owed two and a half or three years' rent from the commencement of the dispute. This offer was invariably refused. There was an apparent moderation in the demand. Acceptance by the tenants and payment of a year's rent and costs would have left them at the mercy of the landlord, with the remaining rent due to be enforced whenever he should think fit. The acceptance of it would have merely postponed the evil day, and the tenants in doing so would have broken faith with their fellow-tenants in the combination without any permanent alleviation of their own condition. I have been told that in every case the tenant asked whether, if he paid, the other evicted tenants would be reinstated, and that the invariable reply was that this was no business of theirs.

It was stated in the 'Times' report that some of the tenants appeared inclined to accept the offer, but were evidently afraid to do so. It may readily be supposed that when eviction was thus brought home to them, some may have hesitated to stand by the combination; but in the end there was no flinching, and all submitted to be turned out of their homes, with the prospect of the prison for resisting, or the workhouse, rather than give way and abandon the evicted tenants. In no case would Mr. Tener enter into any negotiation; he could deal only with individuals, and they were not, he said, in a position to make conditions. It was evident that Lord Clanricarde would not recognise his tenants in any collective capacity.

It was announced at the close of the proceedings, which extended over four days, and must have entailed a considerable cost on the Government, that as the land could not be relet, Lord Clanricarde intended to clear the property

and to turn it into grazing-land. In this view all the houses of the tenants recently evicted have been razed to the ground, and their value destroyed. Other evictions, it was stated, will follow at an early date. It is certain, then, that Lord Clanricarde is determined to enforce his claims *à l'outrance*, to evict by the wholesale, and to clear his vast property of its population unless the tenants yield; and it is to be feared that the Government is prepared to assist him in so doing with the forces of the Crown. On their part, the tenants show no sign of giving way, and it is obvious that every fresh batch of evictions increases the claim on those, who remain in possession of their holdings, to stand firm by the common agreement, and to insist upon the reinstatement of the evicted as a condition of any settlement.<sup>1</sup>

<sup>1</sup> Much has been made of the fact that one of the persons evicted on this occasion was a man named Tully, who is notorious for a speech he made in 1882, in which he is said to have recommended 'lead pills' for landlords. Tully is a boat-builder by trade; he held 17 acres of poor land from Lord Clanricarde, at a rent of 2*l.* 10*s.*, the valuation of which was 4*l.* On this land Tully had built a house at a cost of over 200*l.* He joined the combination, it is said, not on his own account, but from sympathy with the whole body of tenants. It is not to be supposed that if he had stood alone he would have refused to pay the small amount due from him for rent; nor would any court have reduced his rent, or have relieved him from arrears. Tully has shown his earnestness for the cause of the tenants by joining with them in their demands, and by submitting to eviction, and to the loss of all his interest in his house and holding, rather than give an example to others of submission by paying in full and avoiding eviction. We may condemn this man's action in joining the combination when he had no personal cause of complaint, but we may equally recognise the fact that he did so on public grounds, and that he has made an enormous sacrifice for the sake of the tenants as a body. A single case of this kind, or it may be a few others where tenants could pay the full rent by selling their stock, should not divert our sympathy from the great mass of the tenants, who undoubtedly, as was admitted in 1886 by the late agent, Mr. Joyce, to Sir M. Hicks-Beach, were unable to pay their full rents when this dispute began.

Meanwhile the Coercion Act has been further employed as an engine of oppression in the hopes of quelling the spirit of the tenants by imprisoning their leading men. On April 8 another great meeting was held at Loughrea, on the same site as that which I had summoned, and was attended by the same people. It was called as an answer to the challenge of the Chief Secretary in a speech at Staley-bridge, to the effect that the Land League had been effectually suppressed in all the proclaimed districts. To those conversant with the country the statement was ludicrously false. It was scarcely necessary to disprove it. But a meeting was summoned for the purpose, at which Mr. William O'Brien, M.P., was to be the chief speaker; the people attended in vast multitudes, all with the National League cards in their hats. The Government proclaimed the meeting and endeavoured to suppress and disperse it, but did not succeed in preventing Mr. O'Brien making his speech to a subsidiary meeting.

For his action on this occasion, and for attending the meeting, Mr. William O'Brien and twelve other persons were arrested and prosecuted, and but for some technical point, and for some irregularity in the proceedings, would long ago have been convicted and sent to prison. What possible good results from these proceedings? and what possible harm would have resulted from permitting the meeting? and why suppress this meeting when my meeting had been allowed? The eccentricity of arbitrary power is the only possible explanation.

Not satisfied with these many prosecutions, the officers of the Crown have tried their hands at other criminal proceedings, and by the aid of secret inquiries under the Star Chamber clauses of the Coercion Act, they have raked up a criminal charge against a number of the leading tradesmen of Loughrea.

The case is curiously illustrative of the state of the



country and of the action of the authorities. So far as I have been able to sift the facts, they are as follows :—So long ago as 1879 a widow named Dempsey was evicted from a farm in the neighbourhood of Loughrea. A man named Kennedy hired the grazing of the farm ; but as, in the opinion of the neighbourhood, the eviction was unjustifiable, there resulted a strong feeling against him as a ‘land-grabber.’ A hut was erected for Mrs. Dempsey by the Nationalists of Loughrea hard by her former dwelling, and there she lived in confident expectation of being reinstated in her former holding.

At length, in November 1886, a meeting was held on the farm, at which Mr. Sweeny, of Loughrea, and others spoke. Kennedy came on the platform, and there and then gave up the farm to Mrs. Dempsey, amid great applause, and he was carried on the shoulders of the people round the field amid loud cheers. Later, Kennedy met Mr. Harris, M.P., and Mr. Sheehy, M.P., and agreed to surrender all claim to the farm. Relying on this undertaking, the two sons of Mrs. Dempsey entered the farm in July 1887, and cut the hay, with the full knowledge, it is said, of Kennedy and the police. The hay thus cut was stacked on the farm by the Dempseys, and was afterwards removed and sold at Loughrea in open market, where it was bought by Mr. Sweeny. The police subsequently seized it and removed it to the police barracks, where it finally disappeared.

In October 1887 a batch of eight persons, including the two Dempseys, were arrested and brought up before the Court of Quarter Sessions at Ballinasloe on a charge of felony for stealing this hay, and also for conspiracy. Mr. Blake, the Crown solicitor, applied to have the cases sent for trial to the Sligo Winter Assizes. This was done, and the prisoners were let out on bail. When the case came on at Sligo, the Crown applied for an adjournment of it, and the judge agreed to this course, directing the Crown to pay

the costs of the solicitor and counsel of the accused. The case next came on at the Spring Assizes at Galway in the present year. The Crown lawyers were still unprepared to deal with the case, and another adjournment was asked for. Mr. Justice Murphy again allowed this on payment of costs by the Crown, and the case then stood for trial at the Galway Assizes for July. In the meantime a Star Chamber inquiry was held at Loughrea in secret, under the Act of last year, and was protracted over a long period. As a result of this, on June 13 last, four men were suddenly arrested at Loughrea at 3 A.M., including the two Sweenys, and six other persons at Killimore, at the same hour of the night. Among these people were six of the leading tradesmen, town councillors, of Loughrea. They were thrust into gaol, and the next day were brought before the magistrates, and were charged with conspiracy to prevent Kennedy using his farm, and to deprive him of its produce, and with feloniously carrying away the hay from Kennedy's farm, and with being in unlawful possession of it. Bail was refused, and they were put into the Loughrea Bridewell, where they remained for two days, pending the investigations by the magistrates, in a room with only three beds and with no arrangements for ablutions.

The magistrates committed these ten men for trial at Galway, and refused bail. The prisoners were brought out of the police barracks, and in spite of their vehement remonstrances, were handcuffed in the presence of the people, who were collected in great crowds outside the Court-house. This caused the greatest indignation among the crowd. A disturbance resulted ; the military were called out ; a conflict arose, and a number of persons were seriously injured. The accused were carried off handcuffed to Galway Gaol by a circuitous route.

Two days later an application was made on their behalf before the judges in Dublin for the release on bail of these

ten men, and the application was granted at once. At the instance of the Crown the venue in all these cases has been changed from Galway to Wicklow, where they will be tried by a special jury in October.

In spite of the orders of the two judges, I am informed that the representatives of the Crown have refused to pay the costs of the accused at Sligo and Galway. It is difficult to suppose that the Crown can sustain a charge of felony against these men. Whether a case can be made out of a conspiracy to prevent Kennedy using the farm I forbear to say. The people fear that the usual course will be pursued at Wicklow, and that the Crown will challenge every Catholic juror, so that the accused will be tried by a special jury of landlords.

What, however, must be the effect on the minds of the people of all the previous proceedings, the long delays, the secret inquiries, the arrests in the middle of the night, the refusal of bail by the magistrates, the handcuffing of the accused in the sight of the people, the refusal to pay costs, the change of venue to Wicklow with the prospect of a packed jury. Are not these calculated to show, like all the other cases I have referred to, that all the powers of the Executive are ranged against them in the agrarian dispute between the tenants and their co-owners, the landlords?

## CHAPTER IX.

## MR. DILLON'S TRIAL.

ON June 19 of this year (1888) I again crossed the Irish Channel, for the purpose of being present at the hearing of the appeal of Mr. John Dillon, M.P., before the County Court judge at Dundalk, against his conviction by two resident magistrates for his speech to the tenants of Lord Massereene at Tullyallen.

I had seen much of Mr. Dillon during the previous few months, and now in the hour of his trial I was glad to find myself able to stand by him. I went over with other Members of Parliament as representatives of the Liberal party, and at the suggestion and wish of my political friends. Others of the delegates were Professor Stuart, M.P., Mr. John Ellis, M.P., Mr. Schwann, M.P., and Mr. Rowntree, M.P. We travelled from Dublin to Dundalk in the same train with Mr. Dillon, M.P., his counsel, Mr. T. Harrington, M.P., Mr. W. O'Brien, M.P., and other representative men of the Irish party.

At every station on the route there were crowds of people anxious to testify their affection for and confidence in Mr. Dillon. At Drogheda an address was presented to him by the Mayor and Corporation of the town. His progress little resembled that of an accused to his trial. On arriving at Dundalk we found the approaches to the Court held by dragoons and a large body of police. There was an immense concourse of people from all the surrounding districts, and

the streets were decked with flags and green boughs. A procession was formed from the station to the Court House, so far as it was permitted by the police, and on arrival there Mr. Dillon and his friends were admitted. Some of our party, including Mr. Byles, of the 'Bradford Observer,' and Mrs. Byles, were not so fortunate, and, being shut out, found themselves involved in a *mêlée*, caused by a wholly unprovoked attack on the people by the soldiers and police, which resulted in several persons being severely bated. Mr. and Mrs. Byles were thrown on the ground during a charge of the constabulary and received some injuries. The Court House was reserved mainly for the friends of the officials, and few or none of the Massereene tenants were admitted. Contrary to our expectations, the trial (of which I shall speak more fully later) was concluded within the day. A long delay took place between the decision of the judge affirming, the sentence of the resident magistrates, and the removal of Mr. Dillon to gaol, while police arrangements were being made to secure his safe transfer. This was effected in a private carriage guarded by a troop of dragoons.

Later, Mr. W. O'Brien, M.P., addressed the people from the windows of the hotel. A wanton attack was made on the people assembled in the streets by the police on one hand and by the dragoons on the other flank. The crowd thus hemmed in was attacked by the police with clubbed muskets and batons, and numbers of persons were severely injured. So far as I could learn there was not the slightest justification for these attacks. Twelve persons, however, were charged with unlawful assembly on this occasion, and were sent to prison with hard labour for terms off from one month to three months.

Some of our party went to Greenore for the night, and the next morning returned by rail to Drogheda, where we met by arrangement some of the leading tenants of Lord Massereene, who had invited us to visit the property. Our party consisted of Mr. and Mrs. Byles, Mr. Wilfrid

Blunt, and myself. Four or five of the Massereene tenants drove us in a break to the centre of the estate. We visited there several of the tenants, who were engaged in the combination against their landlord. At Monasterboice we called upon Father M'Kee, the priest of that part of the property, who from the first had sympathised with the tenants ; his curate, Father Rock, had been still more active in the cause, but had been recently removed to another part of Ireland, at the instigation, Father M'Kee told us, of a Catholic relative of Lord Massereene, who had considerable influence.

In the village of Newtown-Monasterboice we met a dozen of the tenants, extremely poor men, with holdings of from five to ten acres. We held a small council in the road and heard their story. They had joined the combination against Lord Massereene in 1886, and had demanded a reduction of rent of 25 per cent. in common with the great bulk of the tenants, and on its refusal had since paid no rent to their landlord. They had later applied to the Land Commissioners for judicial rents, and only a few weeks before my visit, after a long delay, their judicial rents had been decided on. By this decision their rents had been reduced by an even larger amount than they had asked for—namely, 27 to 30 per cent. More recently, and only a week ago, processes for their ejectment had come on before the County Court ; the judge, it was said, had suggested to the representative of the landlord that he thought that in issuing a decree of ejectment the arrears of rent should be reduced in the same proportion as the Land Commissioners had reduced the rents. This course was assented to by the landlord's agent, and decrees were issued for ejectment, subject to the payment of rent thus reduced, and the liquidation of which was spread over fourteen months. The tenants admitted to me that they were in the main satisfied with this proposal ; they were to get a larger reduction than they had asked for when they joined the Plan of Campaign. When I asked whether

they were now prepared to come to terms with their landlord, and to pay the arrears of rent thus reduced, they one and all replied that they would not pay a shilling, unless Lord Massereene agreed to reinstate the tenants whom he had unjustly evicted, and who had fought the battle for them and others of the tenants.

I did not then know all the facts of the case as I subsequently learned them from Lord Massereene's late and present agents, and therefore refrained from giving these tenants any advice. Had I known what I have since learned, I could not have done otherwise than express approval of their action. I contented myself with expressing a general sympathy with them, and the hope that a settlement might be effected. At Monasterboice we visited a very interesting specimen of the ancient round watch-towers; in the burial-ground surrounding it were also three splendid examples of ancient crosses, of elaborate and beautiful design. I was glad to find that I had scheduled the tower under an Act I had passed in 1882 for the protection of ancient monuments.

On our way thence to Collon we called at the huts of some of the tenants who had been evicted, and heard their stories. At Collon we were fortunate enough to find at his house Mr. Wynne, the late agent of Lord Massereene, and I heard from him an account of the dispute between Lord Massereene and his tenants, from the point of view of one not unfavourable to the former, and who cannot be regarded as otherwise than in the interest generally of landlords. Mr. Wynne is the agent for many other large proprietors in this district. In 1886, when the great fall of prices occurred, he advised all his employers that abatements should be made to the tenants of about 15 per cent. in the case of judicial rents, and 20 per cent. in non-judicial rents. Lord Massereene alone refused to take his advice, and actually dismissed him from his post as agent, for his leniency to the

tenants. In all the other cases his advice was followed, and as a result no difficulty had occurred on other properties ; and Lord Massereene's was the only one in the county of Louth where a combination of tenants had taken place, and where the Plan of Campaign had been adopted. Mr. Wynne had no doubt that an arrangement might have been arrived at on this estate in 1886 without difficulty ; he held, however, that the tenants were on their part to blame for entering into a combination so speedily, and without waiting longer to see whether Lord Massereene would make concessions. He thought that some of the tenants were able to pay their full rents ; he considered that there would be no difficulty now in settling the dispute if it were not for some of the leaders of the movement who had been evicted ; and that the difficulties of a settlement had been increased by the violent speeches which had been made. He thought that Lord Massereene, who was open to reason, should not be called upon to humiliate himself by reinstating these leaders of the movement in the farms from which they had been evicted.

After calling upon Mr. Wynne and hearing his account of the dispute, I saw Father Taafe, the priest of Collon, who, it was alleged, had originally been favourable to the tenants, but who had more recently been engaged in trying to induce them to give way. Father Taafe showed me his correspondence with Messrs. Dudgeon and Emerson, the new agents of Lord Massereene, who through him had made an offer to the tenants ; he had forwarded this to Dr. Logue, the Catholic Archbishop of Armagh, whose reply he also showed me, and from whom I have since received permission to make what use I think fit of it.

It was difficult to make out the views of Father Taafe. He was under great excitement, from having been charged with being the cause of Mr. Dillon's speech and his consequent imprisonment. His main object was to relieve himself



from this charge. I gathered from him that he considered the dispute might have been settled if the negotiations with Lord Massereene had been left in his hands.

On our way back from Collon to Drogheda we visited others of the evicted tenants. The Government paid us the delicate attention of following our movements by a small detachment of police, mounted on a car. They had been sent over to Collon under the apprehension that we intended to hold a meeting there.

The following day I spent in Dublin, with the object of calling on Messrs. Dudgeon and Emerson, the new agents of Lord Massereene. It was evident from what I had heard on the estate that Lord Massereene was ready to give way on every point except as to the reinstatement of evicted tenants and the costs of legal proceedings.

My object in calling on Messrs. Dudgeon and Emerson was to use such influence, as I might have, to effect a settlement, and to induce concessions on these two points. I did my best to persuade them that it would be wise, even in the interest of Lord Massereene, to make no vindictive exceptions, to treat all his tenants equally, and to reinstate all those tenants whom it was now practically admitted had been unjustly treated. I was quite unable to make any impression on these gentlemen. They seemed to me to be typical solicitors of an aggressive class ; it was their mission to put down combinations of tenants ; they looked at the matter of the Massereene tenants from the point of view generally of landlords ; it was necessary to make examples and to punish the leaders of such a movement, otherwise it might spread to other parts of the North of Ireland. They boasted that they had already, by a mixed policy of legal proceedings, of threats, and concessions, broken down the combination on this property ; a majority of the tenants, they said, had paid part of the rent due. To give way wholly now, and to reinstate the leaders of the movement, would, in their view,

be a confession of weakness, and would be a humiliation to Lord Massereene, which he could not be expected to submit to. After seeing these gentlemen, and hearing all that they had to say, I was able to form an opinion on the whole case, and make out a complete story of the dispute between Lord Massereene and his tenants.

Lord Massereene's property in the county of Louth consists of about 200 tenants, with a rental of 6,000*l.* a year. Some of the tenants are men of substance, with large farms ; others are very poor, with holdings of from five to ten acres ; but the bulk of them hold farms of between twenty and thirty acres. It is admitted on all hands that there was no better or more orderly class of tenants in the North of Ireland.

The case curiously resembles in all its main features that of Lord Clanricarde. In 1886, Lord Massereene refused to act upon the advice of his agent and to make abatements of rent to them ; as already explained, he dismissed his agent for offering this advice to him, and put his affairs into the hands of Messrs. Dudgeon and Emerson, an indication in itself of war with his tenants.

The tenants then met, and sent a deputation to their landlord. Lord Massereene refused to see them, and sent a message by his servant that he could only communicate with them through his new agents. The bulk of the Catholic tenants then entered into a combination and adopted the Plan of Campaign, refusing to pay their rents unless an abatement of 20 per cent. were conceded in the case of judicial rents and 25 per cent. in the case of non-judicial rents. The Protestant tenants, about thirty in number, did not join in this movement. They are not in the habit of acting in concert with their Catholic neighbours. I was told, however, that it was well understood they would receive 'the most favoured nation' treatment, and would get whatever abatements should be ultimately conceded to those who joined the combination. It was said that the Protes-

tant tenants were planted on the estate by a predecessor of the present owner, in place of Catholic tenants, who had been cruelly evicted. There was fear among the tenants of the same process being repeated. They had seen advertisements in an Antrim paper offering farms in Louth to Protestant tenant farmers.

Thenceforward war ensued between the landlord and these tenants. Proceedings of ejectment by wholesale were commenced by Messrs. Dudgeon and Emerson in the Superior Courts and County Courts. They admit that they received instructions to resort to every means known to the law, for the purpose of breaking down the combination of the tenants. On their part, the tenants made every resistance which the processes of law permitted ; costs on both sides were multiplied. Eventually, and as an example, ten of the tenants were evicted with the aid of a large force of police and soldiers, and several persons were sent to prison for resistance to these evictions. The farms from which these persons have been evicted have since remained derelict and uncultivated ; no one has been found to take them ; their former owners are living near by, either in huts built for them out of the proceeds collected under the Plan of Campaign, or in neighbouring farms, in the confident hope of being reinstated.

For nearly two years this legal warfare proceeded ; Mr. Dudgeon himself headed raids of bailiffs and police in the night time to seize cattle in distraint of rent. Proceedings in bankruptcy against some of the tenants, attachments of property of others, have been resorted to. By these and other measures enormous costs have been piled up against the tenants and added on to the claims of the landlord. I was informed on very good authority that the costs were ten times what they ought to be. During the same period arrears of rent have accumulated, and on the average three years' rent is now due.

Recent proceedings have thrown a light upon the position of the tenants and the course of Lord Massereene in refusing abatements to his tenants in 1886. Under the Land Act of 1887 the Land Commissioners have made a proportional reduction of judicial rents for the gale due in November of that year and subsequent gales, averaging about 15 per cent. ; and in several cases where fresh applications had been made by the tenants for judicial rents the Commissioners have recently made awards averaging about 23 per cent., and in many cases considerably more.

Lord Massereene has lately been prepared to make large abatements in respect of the arrears of rent which have accumulated during the period of the dispute. His agents have offered to make the same proportional abatement of the arrears of judicial rent as the Land Commissioners, under the Act of 1887, have decided should be made in respect of rents due since that Act ; and in the case of non-judicial rents they have offered to make abatements of arrears of rent in the same proportion as the Land Commissioners have reduced the rents, or may do so in the future.

This is a practical concession of the justice of the tenants' claim. If made originally in 1886 it would have settled the case, and there would have been no dispute, no combination, and no evictions. It fully justifies the advice of Mr. Wynne, the late agent, and the demand of the tenants for abatements of rent, and it has shown that their action in combining together for the non-payment of the full rents was justifiable and successful. But for the combination these terms would not have been conceded. There remain, however, two questions—that of the reinstatement of the tenants, who, it is now practically admitted, were unjustly evicted, and that of the legal costs piled up in the harassing proceedings of Messrs. Dudgeon and Emerson.

It is an element of this case, as of so many others, that

the landlord, by the advice of his new agents, will in no way recognise the right of the tenants to combined action, that he will not negotiate with them collectively, but insists upon dealing with them individually or through others than their recognised leaders.

It seems, then, that Messrs. Dudgeon and Emerson, acting on this principle, when they were prepared to make these concessions, approached the tenants through the two priests, Father Taafe and Father McKee. It is worth while to quote their letter as showing the manner in which such offers are made.

‘Our instructions,’ they wrote on March 27 of this year to Father Taafe, ‘are to deal with the case of each tenant separately and on its merits. In the cases of all the tenants who recently got their rents fixed by the Land Commissioners, we are prepared to give them the benefit of the reduction, made by applying the fair rent to the arrears due and not as in strictness merely to the gale due last November. In some of these cases we are allowing more than this owing to special circumstances.

‘In case of those tenants who had judicial rents fixed by statutory agreement, and not by order of the Court made after a hearing, we have advised Lord Massereene to give the same allowance on all arrears as is allowed in respect of the November gale of last year by the schedule issued by the Land Commissioners, and his Lordship has accepted our advice. With regard to costs, our firm are prepared to deal liberally with each tenant who avails himself of the offer now made and pays his rent.

‘Lord Massereene has been put to great expense owing to all the cases being defended, and he cannot be the sufferer by reason of the tenants having acted in such a foolish way as to defend actions when they had not a shadow of defence.

‘If the general body of the tenants settle on the terms we

have mentioned, the cases of those who have been evicted, and whose farms are now the absolute property of Lord Massereene, will be considered with a view to reinstating them in their farms ; but we are instructed to state that Francis Cooke, James Byrne, and John Drumgoole are excepted from the offer now made, as his Lordship considers that they are in a great measure personally responsible for what has taken place on this estate.

‘If the terms now offered are not accepted within a week from this, our instructions are to proceed at next Quarter Sessions against all in arrears, and also to execute forthwith the decrees which have already been obtained. . . .’

A similar offer was made through Father McKee to the tenants in the other part of the property. Father Taafe referred this letter of Lord Massereene’s agents to Dr. Logue, the Catholic Archbishop of Armagh, whose answer is of the utmost value for the understanding of this case and for the admirable manner in which he reviews the proposal.

‘Armagh : March 30, 1888.

‘Dear Father Taafe,—I have carefully considered your letter and that of Messrs. Dudgeon and Emerson which you enclosed. I am sorry to say that I can see in the proposals made but very slight reason to hope for a satisfactory settlement. I would not be much inclined to find fault with the scale of reduction proposed by Messrs. Dudgeon and Emerson, though they grant very little beyond what is granted by the letter of the law.

‘However, it appears to me that at this stage of the dispute the amount of the reduction is a secondary consideration. The costs seem to be the great obstacle. From what I have heard I believe that the tenants, with the best will in the world to do so, would not be able to meet these costs or anything approaching to the amount.

‘True, the solicitors say that these costs have been

swelled by the useless defences on the part of the tenants. From the information I could gather I am led to believe that these costs have been piled up to such an enormous figure by vexatious actions taken in the Superior Courts, while the decrees of a County Court would have served all practical purposes equally well.

‘But, apart from the money question, I see in the solicitors’ letter indications of an intention which, if carried out, would render an *amicable* settlement of the dispute, and one that would lead to *permanent* peace, impossible.

‘1. It appears that Lord Massereene wishes to deal with the tenants *individually* ; that means war and not a settlement.

‘2. It appears that his Lordship intends to make victims, and I am much mistaken if that intention does not shut the doors against an amicable arrangement. He may perhaps succeed in patching up some kind of temporary arrangement on these terms, but he will leave an amount of smouldering discontent which is likely to break into a fresh flame of still greater volume.

‘Were I asked to make a suggestion of what I think best for Lord Massereene and the tenants, it would be something like this :—

‘1. Both sides should agree on the amount of reduction to be allowed on the rents now due and on the arrears ; and I think neither side should stand out on trifles in settling the amount.

‘2. I would advise all those who can possibly pay the reduced rent and arrears to do so at once. For those who cannot pay at once I think some arrangement should be made to enable them to pay by instalments.

‘3. The costs, which appear to me to be the great difficulty, should be brought within the capability of the tenants without pressing more than can be avoided on the landlord.

‘4. There should be no exceptional treatment of individuals and no victims.

‘I am yours faithfully,

‘MICHAEL LOGUE.’

It would be impossible to point out more clearly the present issues of the dispute and the principles on which it should be settled, if permanent peace is to be hoped for, than in this excellent letter.

It would appear that Father Taafe took no further action on receipt of it. On the other hand, Father McKee called together the tenants of his district, and, after discussing the question with them, made this reply to Messrs. Dudgeon and Emerson :—

‘The tenants of the Massereene estate, also parishioners of mine, are anxious to come to a settlement with Lord Massereene on terms honourable to themselves as well as to his Lordship. . . .

‘They cannot forget the evicted tenants, who have suffered so much in the recent struggle. They cannot, therefore, accept any terms from which any of the tenants should be excluded.’

Meanwhile Mr. Dillon had crossed over to Ireland in March last, with the intention of making political speeches in reply to the challenge of the Chief Secretary for Ireland at Staleybridge, in which he had claimed that the Government had succeeded in suppressing the National League in all the districts in which it had been proclaimed under the Coercion Act. Mr. Dillon had no previous connection with the Massereene case, and had taken no part in advising the combination. It was only when in the district that he heard of the position of affairs there, and of the desperate efforts then being made to induce the tenants who had joined in the combination to come to terms separately with their landlords, and to abandon the evicted tenants.



It was represented to him that there was danger lest, under the joint influence of threats of eviction, of favourable terms offered to them individually, and of the advice of Father Taafe, the tenants would separately agree to terms and abandon the evicted tenants to their fate. He was, therefore, induced to address the tenants at Tullyallen on April 8. His speech must be considered as an impassioned defence of the Plan of Campaign, and an appeal to the tenants to stand by one another, and not to give way singly.

‘When I recommended,’ he said, ‘the Plan of Campaign as a policy to the tenantry of Ireland, I did it deliberately—I did it because I believed it was a policy that would make the fate of the traitor an unhappy one. What has been the curse of Ireland in the past, when time after time the leaders of the people have endeavoured to lead the poor tenantry out of the land of bondage? What has been the curse of previous movements? It has been the traitor, the man who, in the very hour when victory is at hand, who in the hour of the thickest of the fight turned his back on his comrades and basely betrayed the cause which he was pledged by every principle of honesty and manhood to sustain. I came to the conclusion that if we could not place before our people some policy, we could not hope to do what was also a dear object to my heart—namely, to win our people from the methods which they used to adopt towards traitors. What used they to do towards traitors in the olden times? They used to shoot them. Well, I wanted to turn away our people from that course. It is a course natural to desperate men; a course of outrage and of vengeance. It is a course which naturally occurs to men when they see they are betrayed; but it is a course which will not lead to victory, and I wanted to place before the people of Ireland, a Christian, a civilised, and a moral plan, by which, if they adhered to it bravely, they would put down the infamous system of

rack-renting and treachery to which the people of Ireland have been so long subjected.'

He then pointed out the many cases where combinations had been successful, and especially those of Lord de Freyne's and Sir Henry Burke's tenants, where the landlords had ultimately conceded almost all that the tenants had asked for, and had reinstated the evicted tenants and had paid all the costs of legal proceedings. He went into details of the Massereene case and gave illustrations of the way in which costs had been piled up by Messrs. Dudgeon and Emerson, whom he described as belonging to the very worst class of agents in Ireland. He ended by a strong appeal to the tenants to stand by one another. 'If there be any men amongst the Massereene tenants who feel weak or inclined to yield, let me tell them this, that the only danger they have to dread is the danger of yielding. If they yield they will be ruined men ; they will be put to great costs and expenses ; the landlord will never again have mercy upon them ; he will know they are beaten, and from any part of the Irish race they will get neither support nor sympathy. I have come here to tell them that the whole power of an organisation will be at their backs ; and I say without the slightest hesitation, and in the plainest way, that any man who takes their farms and any man who goes back and takes advantage of the position to get possession of their property, that his life won't be a happy one. . . . Is the life of a pick-pocket or cheat a happy one ? I say that the man who does an act which makes every honest neighbour [illegible], his life will not and ought not to be happy wherever an honest man be. . . . The man who turns his back upon the people who have entered into a fight of this character will be looked upon, and justly looked upon, by all his neighbours as a traitor and dishonest man.' <sup>1</sup>

<sup>1</sup> This report is taken from the notes of the police reporter read at the trial, some parts of which were illegible.

There are passages in this speech which have seemed to some people as dangerously near to threats of physical violence against those who should be traitors to the cause ; but the obvious meaning of the words is that traitors will suffer in the estimation of their neighbours, and will be considered no better than pickpockets or blacklegs ; and even if another construction be possible, it is always right and fair to adopt that which is the most moderate.

Having regard to the state of the dispute between Lord Massereene and his tenants, to the offers made by Messrs. Dudgeon and Emerson, and to the pressure brought to bear from all quarters on the tenants to induce them to give way and to abandon the evicted tenants to their fate, the speech must be regarded as a passionate appeal to them to stand by the evicted tenants, on whom the burthen of the fight had fallen, and not to come to terms except by common agreement.

In this sense the speech was understood by the tenants, as was evidenced by the resolution forwarded to Messrs. Dudgeon and Co. by Father McKee, which has already been quoted. For my own part, knowing, as I now do, all the facts of the case, and after hearing all that could be alleged on behalf of Lord Massereene by his agents, and without committing myself to all the language of Mr. Dillon, I have no hesitation in saying that I should have advised the tenants to stand by one another, and not come to terms with their landlord unless all the evicted tenants were reinstated, and no vindictive exceptions were made in the settlement. My conviction is that the same view would be taken by any independent inquirer, or by any jury, to whom the facts should be submitted, or who should be conversant with the district.

As in the case of public meetings, so also with respect to speeches, the jury is, under our Constitution, the real palladium of the rights of the public. It rests with the jury to de-

cide whether a speech infringes the law; and it is impossible to withdraw from a jury the matters which, within their knowledge, have led to the speech being made. It is absolutely certain that no jury could have been empanelled in Ireland, even in Ulster, which would have convicted Mr. Dillon for such a speech. I doubt whether any jury in the United Kingdom would do so. There is conclusive proof of this proposition, as regards Ireland, in the action of the Government. At the time Mr. Dillon made this speech, the county of Louth was not proclaimed, and he could, therefore, be tried only before a jury. The county has always had a reputation for the independence and integrity of its juries. It would have been easy for the Crown to empanel a jury there exclusively composed of Protestants without any sympathy with the Nationalist Party. The Government, however, felt that it was hopeless to expect a verdict even from such a jury. With the object of withdrawing the case from a jury and securing a conviction, they proclaimed the county of Louth four days after the Tullyallen speech, for the express and only purpose of relegating Mr. Dillon's case to their complacent agents, the resident magistrates. There was no crime whatever in Louth, and no justification, therefore, for proclaiming it under the Coercion Act. A more flagrant case of *ex post facto* proceedings with the object of securing a conviction against a public man could not be conceived.

For the purpose of the case two resident magistrates, who could be relied upon, were brought from a distance, one of them fresh with the honour of having convicted Father M'Fadden; they naturally did the work expected of them. Mr. Dillon was charged and tried for two distinct offences arising out of his speech—the one for unlawfully taking part in a criminal conspiracy to compel and induce certain tenants not to fulfil their legal obligations, and to refuse to pay and not to pay to the owners of such farms the rents

which they were lawfully bound to pay ; the other for inciting other persons to take part in an unlawful conspiracy known as the Plan of Campaign. The magistrates convicted him of both these offences, and sentenced him in each case to six months' imprisonment without hard labour, the sentences to run concurrently, and they gave as a reason for giving the fullest sentence in their power 'the influence which the accused is well known to exert over masses of his fellow-countrymen.'

From these sentences there was an appeal to the County Court judge of the district, Mr. Kisbey, a gentleman who, before his recent appointment to the Bench, had been a most bitter political partisan of the Orange type. If anything could add to the scandal of the proceedings, it is that a man whom three-fourths of the people of Ireland look upon as their most trusted leader, and adore as their benefactor and friend, should be tried without a jury by Mr. Kisbey.

At the trial at Dundalk, Mr. Dillon conducted his own defence. The evidence against him was confined to a report of his own speech at Tullyallen, a speech of similar tenor at the same meeting by Mr. Gill, M.P., who, strange to say, was not himself prosecuted, and a previous speech of Mr. Dillon delivered in November 1886, before the passing of the Coercion Act, and for which he had been prosecuted before a jury and not found guilty. Not a tittle of evidence was given of a conspiracy. Mr. Dillon defended himself in a speech of remarkable eloquence and power—a speech which was unfortunately not reported in the English papers as it deserved to be. The judge confirmed the sentences in both cases. He refused to make his order in such a manner, by referring to the depositions, as to enable the accused to appeal to the higher tribunals on the point of law whether the evidence disclosed any crime punishable by law, although it was pointed out to him that it was

within his power to do so, and had been the constant practice till within the last few months. He insisted upon the warrant for the imprisonment of Mr. Dillon being made out at once, instead of waiting for the signature of the magistrates who originally convicted, as had also been the practice till lately—a course which would have afforded Mr. Dillon a short interval, before going to prison, in which to arrange his affairs.

The proceedings throughout the whole trial showed a fixed determination on the part of the Crown and the judge to press the law to the utmost, to secure the conviction and imprisonment of their victim, and to treat him with the utmost severity.

The climax, however, of the whole case was the committal of such a man to imprisonment as a common criminal. The speech of Mr. Dillon, even if within the law of conspiracy, was spoken with no criminal intent ; it was purely political in the highest sense of the term ; it was uttered with a sense of duty and with a belief in the justice of his case, which placed it altogether outside the intent and scope of the criminal law. To four-fifths of the Irish people, to a great majority of the people of Scotland and Wales, and to a very large section, perhaps even a majority, of the English people the speech was justifiable and praiseworthy, or at least excusable and defensible under the circumstances. No one even of Mr. Dillon's political opponents could hold that such a speech rendered him in any sense dishonourable or infamous, as the commission of an ordinary crime would do ; it is certain that he will be treated with the same respect in the House of Commons, and in any society he finds himself, as if he had never been convicted. To treat such a man as a criminal, to subject him to the indignities of a gaol on the level with felons and pickpockets, to invest him with the prison garb, to run the immense risk of destroying his health, is a wanton

outrage on the feelings of a large part, and possibly of a majority, of the people of the United Kingdom.<sup>1</sup>

It can have no possible effect in deterring others from the like acts, but the very opposite. It must inspirit others to do the utmost which a sense of duty impels them to. All past history tells us that such a policy defeats its own purpose. There is not a civilised country in the world, except our own, where experience has not resulted in the treatment of political offences in a totally different spirit, and with penalties having no comparison with those accorded to crime in its ordinary sense.

A review of the dispute between the Massereene tenants and their landlord or co-owner, ending in its climax, the imprisonment of Mr. Dillon, shows a striking similitude in all its main features to that of the Clanricarde tenants ; in both cases the landlords refused to act on the advice of their agents or to make reasonable abatements of rent, such as other good landlords were freely making at that time, and parted with their agents in consequence of their having given this advice ; in both cases they refused to recognise any common action on the part of their tenants, or even to negotiate with them as a body ; in both cases this unwise action of the landlords was followed by strict combination on the part of the tenants and their refusal to pay full rents without a reasonable abatement ; in both cases evictions were then carried out by the landlords, supported by the forces of the Crown and the penal powers of the Coercion Act, and every possible effort has been made, by harassing proceedings in the law courts, to break down the combination ; in both cases the demands of the tenants have since been fully justified by the action of the Legislature in sanctioning the reduction of judicial rents, and by the Land Commissioners in awarding reductions of rents equalling or little less than those demanded by the tenants ; in both

<sup>1</sup> See Appendix B, Treatment of Political Prisoners.

cases the landlords have lately shown, by their offers to concede large abatements of arrears of rent accruing since the disputes arose, that they now admit that they were wrong in the first instance in refusing to listen to the demands of their tenants; in both cases there have been added to the difficulties of settlement the legal costs which have been piled up, and the position of the evicted tenants, who, it is now practically admitted, were unjustly evicted.

In both cases the Government has interfered to prevent and prohibit the free expression of opinion in public meetings, and to prosecute and send to prison as criminals those who have spoken words of sympathy for the tenants, and who have bid them stand by one another, and not to abandon the evicted tenants, who have suffered for them.



## CHAPTER X.

## A WEEK IN CLARE.

IN August of the current year, and after the preceding chapters were already in print I had occasion again to visit Ireland. It was strongly urged on me to visit the district where the evictions on the Vandeleur property had recently taken place, and where a still greater number were threatened. It was suggested that my influence might be of use in effecting a settlement between the landlord and his numerous tenantry, who had entered into a combination for abatements of rent. I agreed to go there and to make personal inquiries into the case.

I took the opportunity of seeing something of the county of Clare, and especially of its coast scenery, which I had long desired to explore, and incidentally also to inquire on the spot as to some of the proceedings under the Coercion Act, of which grave complaint has been made in the House of Commons, and which have led to much controversy.

The county of Clare is in itself well worthy of study from a political and social point of view. It is the part of Ireland where the national feeling is more intense, and where political passions are stronger and more ready for action, than in any other. It has a larger infusion of Celtic blood ; it is more intensely Catholic, 94 per cent. of the population being of this persuasion ; it is the district where English ideas have had least influence. Its traditions keep alive in it a strong political feeling, which at momentous periods has not

failed to exhibit itself in action. The national force which surrendered at the capitulation of Limerick was largely drawn from Clare. In 1839 it was the famous election for the county of Clare, when the tenantry emancipated themselves from landlord influence, and returned O'Connell as their member, which persuaded the Duke of Wellington and Sir Robert Peel that the demand for Catholic Emancipation could not safely be resisted. It was in a bye-election for its capital town, Ennis, that Mr. Finnigan, an utterly unknown man, was returned in opposition to the united forces of the Tories and Whigs, who supported the candidature of Mr. O'Brien, the Solicitor-General of Mr. Gladstone's Government—a struggle which showed the influence of Mr. Parnell and secured him predominance in the National party.

The electors of this county have ever since showed the most implicit confidence in Mr. Parnell. In 1885, after the extension of the county suffrage and the division of the county, the Western division returned as its member Mr. Jordan, a Protestant tenant farmer and merchant of Enniskillen, a gentleman quite unknown to the electors, but suggested to them by Mr. Parnell; the majority was 6,474, the votes given to the Conservative candidate, Mr. Reeves, landowner, and brother-in-law of Captain Vandeleur, being only 289. The Eastern division returned Mr. T. R. Cox, of Roscommon, by a majority of 5,985.

The county is purely agricultural, and in recent years has been almost entirely laid down in grass. Some portions of it consist of excellent land, noted for the sweetness of its pasture; others, and perhaps the larger part, are very poor, and have only been cleared of rocks and stones by enormous labour of the tenantry. Much of the richer land has been cleared of small tenants, and has been turned into large grazing-farms, some of which are held by Scotch farmers; the smaller tenants as a rule occupy the poorer lands. There are very few resident landlords; one may travel long distances—

as, for instance, from Ennis to Kilrush, a distance of seventeen miles, or from Kilree to Miltown-Malbay, twenty-five miles—without passing a single gentleman's house, and very few residences occupied by large farmers or men of the middle class. Lord Leconfield owns 37,000 acres of some of the best land in the county, without a residence ; the Marquis of Conyngham owns 27,000 acres, Mr. E. P. Westby 25,000, Colonel White 18,000, and are none of them resident. The population has been reduced by considerably more than a half during the last forty years. The general appearance of the county shews that it is inhabited by small tenants occupying from ten to forty acres of land, each with his small house and homestead. The houses are for the most part stone-built, well thatched to resist the violent winds from the Atlantic. They are by no means the hovels which are too often associated with rural life in Ireland. The climate is mild ; snow very seldom lies on the ground ; but the district is much exposed to violent gales from the west, and for some distance inland trees only grow under shelter.

The county must have been from a very early time thickly populated ; there are evidences of wealth and civilisation and of an intensely religious feeling in the earliest times. There are ruins of nearly 100 castles, some of them still occupied by farmers ; and there are also remains of 20 abbeys or religious houses, some of which, like Quin Abbey, must have been of great size ; it is said that at one time upwards of 6,000 young men received a higher education in these abbeys. There are no ecclesiastical buildings in the present time of any pretensions to architectural beauty. The priests, however, are everywhere in close sympathy with the people, exercise great influence over them, are their advisers in their agrarian troubles, and identify themselves with the political movement.

I spent a day at Ennis, a tidy little town of 3,000

inhabitants. There is a statue of O'Connell on a lofty pillar, and a more recent monument in honour of Larkin, O'Brien, and Allen, the so-called Manchester martyrs. It must have been a surprise to the people that the Government permitted the erection of this. There is also a court-house of very good architectural design, erected by an Irishman, who afterwards went to the United States and made a great reputation. I found little more of interest beyond the traditions and memories of the Clare Election. I visited the great corn-store where the recent conflict arose between the police and the people. It was clear at once how utterly unjustifiable it must have been to order an attack on the people in such a place.

I also saw Mr. Macnamara, the young newsagent who was able to defeat the Irish Government, supported by all their powers under the Coercion Act, in respect of the sale of newspapers. It appears that the inspector of police of the district sent for him and other newsvendors in the town and announced that his instructions were to suppress the sale of 'United Ireland' in the district. He called upon them to give a written undertaking that they would no longer sell this paper. In the event of their declining they would be prosecuted under the Coercion Act. Three of the newsvendors were frightened into this course, and gave the undertaking; Macnamara alone refused. He was then prosecuted (November 25, 1887) before Mr. Cecil Roche and Mr. Hodder. He was sentenced to seven days' imprisonment with hard labour, and to another seven days' imprisonment for calling out in Court 'Three cheers for O'Brien, and groans for Balfour!' While he was in prison his wife continued the sale of the papers. Shortly after coming out of his prison Macnamara was again prosecuted for selling 'United Ireland,' and was sentenced to two months' imprisonment with hard labour.

On his release he continued the sale; he was then pro-

secuted and fined for exhibiting a placard with the harp, shamrock, and 'God save Ireland !' upon it ; the police also broke into his shop and seized his stock of ' United Ireland,' for which an action is now pending ; they also stationed two men at the door of his shop for some days, who were instructed to take the names and addresses of all who entered, with the apparent intention of prosecuting them. All these steps were in vain ; Macnamara still continued the sale of the papers undismayed. The only effect was that his sales increased from fifteen dozen a week to fifty dozen. In the end the police were obliged to admit themselves beaten, and for some months past no further proceedings have been taken ; the three other vendors of papers have resumed their sales.

Ennis has been the scene of many other prosecutions under the Coercion Act. They were chiefly in connection with the refusal to supply the police. On January 9, fifteen owners of cars in the town were prosecuted for conspiring to compel persons not to convey goods to the police and to farms where emergency men were employed ; the only evidence against them was a mere refusal. There was no evidence of conspiracy, or of compelling or inducing others to refuse. Nine of them were convicted and sentenced to three weeks' imprisonment with hard labour.

On February 22, 1888, fourteen men of Kildysart were prosecuted at Ennis for refusing to sell turf to the police. The head-constable, in his evidence, deposed that during his service at Kildysart, and up to December 11, he had no difficulty in procuring turf ; subsequently, and owing to the dispersion of a meeting of a suppressed branch of the National League, he met with a general refusal for fuel. The defence was in some cases that the turf had been previously engaged, and this was borne out by independent witnesses. In spite of this the resident magistrates convicted ten of these men, and sentenced them to imprison-

ment for two, three, and four months. On appeal to the County Court judge, these sentences were confirmed. On March 2, three other car owners were convicted of conspiracy to refuse cars to the police, and were sentenced to two months' imprisonment with hard labour.

It is now certain, since the judgment of the Court of Exchequer in the Killeagh case, that all the above convictions were illegal. There was no evidence whatever of conspiring to compel or induce others ; the only evidence was a simple refusal on the part of each person applied to.

It was at Ennis, also, that Mr. Cox, the member for this division of the county, was prosecuted, on January 28 of this year, for a speech delivered to his own constituents. The speech is worth referring to as an illustration of what constitutes incitement to crime in the view of the authorities.

‘I would implore,’ he said, ‘the young men of Clare—and I wish my voice could reach the ears and hearts of every young man to-night, and this Lisdoonvarna case may point a moral, if it cannot adorn a sad tale for them. Let them shun outrages and avoid the tempter to evil deeds as they would shun Satan himself, and if for no holier and higher motive, at least for the selfish motive of their own safety. There were foolish people in the country who thought revenge should be wreaked for every petty act of local tyranny. I do not think the common sense of the country will accept their opinions and views against the opinions and views of our great leader, Mr. Parnell, or the greatest statesman of modern times, Mr. Gladstone. Wherever and whenever you meet with such men, avoid and shun them, for, believe me, theirs is no good purpose. The louder they boast of their patriotism, and what they are prepared to do and dare, the more reason have you to shun them, for, believe me, nine out of every ten of such men are in the pay of our enemies. We have now the great

Liberal party of England at our back, with their great leader Mr. Gladstone ; we have the English democracy with us, as will be told to you in a few minutes by Mr. Conybeare. With such allies nothing can stop or stay our march to liberty, save and except the commission of outrage, which must inevitably drive our allies from our side, and bring joy, hope, and satisfaction to the hearts of the miserable gang of coercionists—the Cullinane Balfour now in office. Harken then to the advice of the great leader, who never yet gave a wrong counsel or advice ; follow the counsel of the veteran leader of the Liberal party ; be guilty of no crime or outrage. Follow the open and constitutional agitation which has always brought us to the goal of our long-lost right. Adhere to the teaching and doctrine of the National League—but I forgot, my friends, Balfour says the League has been proclaimed in Clare. I ask you, is it? (Loud shouts of “No.”) I wish Balfour were here to listen to that thundering shout ; he would know the value you place on his proclamations.’

For this speech, which to most people must seem a powerful appeal to the people against crime, Mr. Cox was convicted of the offence of inciting the people to take part in an unlawful assembly, and was sentenced by two Resident Magistrates, Mr. Cecil Roche and Mr. Hodder, to four months’ imprisonment. The conviction was affirmed on appeal by the County Court Judge, but the sentence was reduced to two months’ imprisonment as a common criminal.

Ennis is the centre of the district over which Colonel Turner is Divisional Magistrate. Colonel Turner’s position is more like that of a Prefect of a French Department than anything we know of in England. It differs in this respect, that his only legal means of action is through the police, and in the administration of the criminal law, and also in the protection of evictions. The Coercion Act,

however, has placed enormous powers in his hands, and has made him something like a dictator of the liberties of the people, subject, of course, to approval of the Government, which can only act on his information. He can virtually forbid and suppress public meetings, direct prosecutions for attending meetings or making speeches, and can prohibit the sales of newspapers; in furtherance of this, or where any boycotting exists, he has been able to select for prosecution almost any person he may think expedient to deal with. The resident magistrates are practically his agents. It will be seen that he considers it his duty to advise a landlord, like Captain Vandeleur, to resort to extreme measures in the general interest of the public, and for the purpose of putting down combinations. He can threaten prosecutions and promise to withdraw them, or to relieve of imprisonment, on the people promising good behaviour. I heard, not only at Ennis, but everywhere I went in the county, loud complaints that Colonel Turner has completely identified himself with the landlord party. He has taken up his abode permanently as the guest of Mr. Stacpoole, who is the leading man of the landlords of Clare, and who by his action, whether rightly or not, has incurred great unpopularity with the people. It is said that Colonel Turner cannot be regarded as impartial, in the important duties conferred on him, while he is under obligations to this gentleman.

From Ennis I went to Miltown-Malbay, a small town of 1,200 inhabitants, within a mile of the sea-coast. It has been built under a system of leases for three lives, on land belonging to Mrs. Morony. This lady, who is also owner of much of the land in the neighbourhood, is trying to develop a watering-place on the small coast. She has erected an hotel there, which she manages herself, and there are a few scattered residences and lodging-houses. The bay is an exceedingly pretty one, with a beautiful strand of hard



sand ; the Atlantic breaks upon the shore with its full power. With the pure air and the beautiful coast scenery, the place ought to have a future before it, now that there is direct communication by railway.

I called on Mrs. Morony and had a very long conversation with her, in the course of which she told me fully the whole of the circumstances connected with the 'boycotting' which she has undergone the last six years.

She has told the story to many other travellers ; her case has found its way into the English papers, and has created a widespread sympathy, as a typical one of the worst kind of persecution on the part of the National League. It will be seen that, after hearing the other side of the question (which many visitors have failed to do), I can by no means accept Mrs. Morony's views of her case as conclusive.

Miltown-Malbay is represented in official circles to be the black spot of Clare, and the centre of disturbance ; and the county generally is stated to be second only to Kerry in lawlessness, disaffection, and addiction to agrarian crime. If, however, Miltown-Malbay is to be taken as a measure of blackness, I can only say, after careful inquiry, that there must be the grossest exaggeration. As will be seen, there have been very numerous prosecutions there, mainly for the same kind of offence, that of refusing to supply goods to boycotted persons and to the police. They all have their origin in a very few cases of harsh eviction, which greatly irritated and offended public opinion in the district ; and I cannot but think these boycottings might have been brought to a conclusion by a little tact on the part of the authorities. Of crime in the true sense of the term there has been only one case in Miltown-Malbay in the last fifty years, and that one, as will be shown, of a most mysterious and unaccountable character.

I spent a day in driving over to Lisdoonvarna and the Cliffs of Moher. At Lisdoonvarna are the well-known

chalybeate springs ; the place is much frequented by priests from every part of Ireland. I was there some years ago, when staying with the late Sir Colman O'Loughlen. It then consisted of little more than a single hotel ; it has greatly increased since that time ; but there is much room for improvement in the general laying-out of the place. With its sulphur and iron springs, which are of the highest value, and with its wonderfully pure air, coming direct from the Atlantic, and its neighbourhood to the Cliffs of Moher and the romantic coast scenery of Clare, it ought to make great progress.

I was wonderfully favoured by the weather on my visit to the Cliffs of Moher. There was a fresh breeze blowing from the north-west, with alternate sunshine and clouds ; a grand swell from the Atlantic broke on the rocks. The Cliffs extend for about four miles, with an almost uniform height of nearly 800 feet. They rise precipitously from the shore like a wall ; so much so that from almost any part it is possible to let down men by ropes to gather the eggs of sea-fowl which build their nests in the narrow ledges of the rock. I doubt whether in the United Kingdom there is a grander scene. The cliffs far surpassed any anticipations I had received of them from the accounts of others.

Kilkee is some miles further south than Miltown-Malbay, and, in spite of its distance from the railway, has made great advance of late years as a summer resort for sea-bathing. It is situate in a bay, on either side of the narrow entrance of which are bold rocks, not of the grandeur of those at Moher, but well worth a visit. The great Atlantic waves break upon them with all their force. The open downs along the coast also add greatly to the attractions of this place.

After a visit to Kilrush, of which I shall speak later, I returned to Miltown-Malbay, and made further inquiries of the people of the town as to the proceedings under the Coercion Act and the disputes which have led to them.

## CHAPTER XI.

## THE MILTOWN-MALBAY PROSECUTIONS.

THE two leading spirits of the district, in fierce antagonism to one another, are Mrs. Morony and Father White.

Mrs. Morony is the widow of a gentleman of position, a magistrate, once High Sheriff for the county. She was the daughter of an able solicitor of Limerick, and it is said that during the last few years of her father's life she assisted in transacting his business. Perhaps it is this which has given her so complete a knowledge of every legal point connected with the land question, and so clever a method of stating her case, making the utmost of every point which tells in favour of her views. I have never met a woman better able to hold her own in argument. She has also great courage and determination, without loss of the gentler qualities of a lady. She is evidently, however, possessed with the idea that the Land League is composed of some of the most turbulent spirits of the district, with Father White at their head, and is the source of all her difficulties with the people of the place ; that her tenants are prevented by it from showing their attachment to her ; and that if she can put it down everything will go well with her and the place. Mrs. Morony has further very strong views as to the injustice of the several Land Acts of 1870, 1881, and 1887, and is determined to uphold her remaining rights at every point. Holding these views, she is prone, I think, to exaggerate, and to allow her imagination to outstrip the facts ;

and in so doing has made out a most interesting story, which has induced many people to think that there is no other side to the question. She has also told it with an able pen in many of the English newspapers.

Like many others of the smaller landlords of Ireland, Mrs. Morony's financial position has been greatly embarrassed by the Land Act and the fall of prices. Out of an income of about 2,500*l.* from the property she told me she enjoyed a few years ago a margin of 600*l.* a year to live upon. This has disappeared, and she has now only the house and demesne of 60 acres, and an hotel on the sea-shore which she has taken into her own hands, and which, under her able management, is doing very well. It is alleged by her opponents that her struggles with the League have largely contributed to the success of her venture, and that many people have been attracted there by sympathy for her.

Father White, on the other hand, is as good a specimen of a parish priest as I have met for many a long day : active, intelligent, fully alive to all that is going on in the world, in hearty sympathy with his people in their social and political wants. He is equally able to raise his voice or to use his pen for their cause. He is, in most respects, a good match for Mrs. Morony ; but he is not able to meet her in the society where she principally finds her sympathisers ; he is at variance with her on many questions of fact ; in those which I have been able to test I have found him in the right ; and from having seen much of him during my visit to the district, I feel implicit confidence in his statements. I doubt not, however, that the police authorities and Colonel Turner consider him a somewhat dangerous character. Father White is the president of the local branch of the National League, and the officials are under the same belief as Mrs. Morony, that the League is a conspiracy of the few to work injustice, and to carry out its decrees by intimidation. It will be seen, on the contrary, that it acts rather as

a moderator of public opinion of the place. Father White's influence has unquestionably been used to denounce and to prevent crime, and to put down or limit boycotting. He told me that he had made it a condition of presiding over the League that no resolution for boycotting any person should ever be submitted to it. He also assured me that the boycotting which has been at times directed against Mrs. Morony and her employés was the spontaneous action of the people indignant at her proceedings, and in no way emanated from the League ; that the influence of this body has been a restraining one, and that he himself has on many occasions interfered to prevent and restrain this form of reprisal. He indignantly repudiates the suggestion that the League has at any time been the cause of crime. With one exception, which will be adverted to later, there has not been any crime of violence in his parish for a great number of years past.

It must, I fear, be admitted that Mrs. Morony's property was one of the most highly rented in this part of Ireland. In the better times, between 1850 and 1860, the tenants were impelled to take leases at rates close on 100 per cent. above Griffiths' valuation. In 1880, after two of the worst years that Ireland had seen, they asked for abatements. There are about seventy agricultural tenants. Sixty of them met and sent a deputation to Mrs. Morony to ask an abatement. She declined to receive them. She said that she would have nothing to do with the Land League, or with any combination. She refused pointblank to make any general abatement: she would deal equitably with individual cases. She says herself that in some cases she made abatements of 6s. in the pound, in others of 4s., in others of 2s. From the statements of the tenants I think it must be taken that the larger abatements were made in a very few individual cases, and that the great bulk of the tenants were allowed no more than 2s. in the pound only, or 10 per cent.

The tenants after a time found themselves unable to meet her claims, and refused to pay rents with this abatement of only 10 per cent. They demanded a reduction of rents to Griffiths' valuation. Mrs. Morony then proceeded to evict, and towards the end of 1881 or the beginning of 1882 evicted fourteen of them with their families.

These evictions caused the greatest possible indignation in the neighbourhood. The public opinion of Miltown-Malbay was very much excited. Without any meeting, or conspiracy, or any action of the Land League, Mrs. Morony was at once subjected to the social ostracism known as 'boycotting.' All her farm servants left her service at once ; she could no longer get supplies from the shopkeepers in the town ; she could not sell her produce there or get her horses shod. As her expenditure in the town had been considerable, this refusal of the small tradespeople was a measure of the general wrath against her. Those who did not feel it were at least afraid of losing other customers, if they continued to supply this evicting lady. The main pressure of public opinion came from the country people outside the town.

Mrs. Morony met the popular movement with courage. It is impossible not to admire her energy and pluck under these difficulties. She engaged emergency men from the North of Ireland. She set up a store for the supply of herself, her servants, and her hotel. She succeeded to a great extent in overcoming the difficulties. In 1882, after the passing of the Arrears Act, she reinstated several of the evicted tenants in order to get the advantage of the Act, by which she obtained a full year's rent at the rack rental, out of the fund arising from the disestablishment of the Church. She positively declined, however, to reinstate four of them, and especially one named James Clancy, whom she regarded as leader of the movement.

These four have ever since been housed in temporary

huts, or have lived with their neighbours. They have received weekly allowances from the Land League and its successor, the National League in Dublin, in the confident belief that the day will come when Mrs. Morony will be induced or compelled to reinstate them.

It is stated in proof of the rack-renting of this property that four of the tenants who had not got leases, but who were rented at the same level as others, went into court under the Land Act of 1881 and got reductions in 1883 of 40 per cent., to which an addition has been made under the Act of last year of 15 per cent., and they now stand at rents below the valuation, while the unfortunate leaseholders till quite lately have been without a remedy.<sup>1</sup> Early in 1882 an effort was made to settle the dispute by effecting a purchase under the Bright clauses of 1881. Mr. Bonyngé, the Protestant clergyman, and Mr. Crawford, the manager of the National Bank, represented to Father White that Mrs. Morony was prepared to sell her land to her tenants under this Act. Father White communicated this to the tenants, and after Mass on the following Sunday they all met and agreed to enter into negotiation with her on this basis. They sent a deputation to her of four of their leading men, and said they were quite prepared to purchase, subject to the reinstatement of the evicted men. They say that Mrs. Morony expressed her readiness to do this, and only waited the return of her agent to settle the terms. The tenants

<sup>1</sup> In the present year thirty-six of Mrs. Morony's leaseholders have gone into the Land Court under the Act of last year for judicial rents. To their dismay the reductions have averaged only 25 per cent., and the rents are still more than 40 per cent. above the valuation. At the same time several of Lord Leconfield's tenants, holding adjoining farms of the same quality, went into Court; their rents were reduced to a point 5 per cent. only above the valuation. Mrs. Morony's tenants have all appealed against the decisions of the Sub-Commission, who, they think, have been unfairly prejudiced against them.

expected to get three-fourths of the purchase-money from the Government, and hoped to borrow the remainder from the bank.

This was on the Monday. On the following night occurred a terrible tragedy, the only serious crime within the memory of men in the parish, but which has cast a slur on the place ever since, most unjustly, as the people say. Lennane, the herdsman of Mrs. Morony, an old man aged seventy-nine, who had remained in her service, was sitting in his cottage at night, with his son opposite to him and his grandchildren playing about him, when suddenly a shot was fired through the window which struck him in the heart. He died instantaneously. The shot was from a revolver, and as the perpetrator must have stood at some distance from the window to avoid being seen, he must have been a marksman of no ordinary skill. No clue whatever has ever been discovered for this murder. It has ever since been alleged by Mrs. Morony and her friends that it was an agrarian murder, intended to intimidate any one who should work for her, and the inspiration of the local Land League.

This is indignantly repudiated by her tenants and by the people of Miltown-Malbay. They assert that all motive for the murder, if there could ever have been a motive for so foul a deed, was entirely wanting, as the negotiations for the purchase of their holdings and for the reinstatement of the evicted tenants had already been commenced, and the tenants were under the belief that Mrs. Morony had consented to an arrangement. They assert that it was more probable that the murderer was one of the emergency men, among whom were some discharged soldiers, who were capable of shooting with skill, and they suggest as a motive the fear lest the negotiations with the tenants might lead to their dismissal.

It has been alleged that the people of Miltown-Malbay showed sympathy with the crime, and that there was difficulty in getting a coffin made for the poor man. This



again is denied by Father White, who himself instructed a man to make the coffin. He says that Lennane having neglected altogether for years past his religious duties, it would have been more in accord with the rules of the Church to refuse a service at the house of the dead man ; but his curate, Father Stewart, performed this office, and the funeral was fairly attended by the poor man's neighbours.

Whatever the cause of the murder, it was followed by most grievous results to the tenants. Twenty of them were arrested by Mr. Clifford Lloyd, on suspicion, and were lodged in gaol for many months without a shadow of a ground for it. A secret inquiry was held under the Star Chamber clause of the Act of 1882, but without any clue being obtained. Mrs. Morony was placed under police protection, and ever since she has been followed by two policemen, involving constant relays. The relations between Mrs. Morony and her tenants and the people of Miltown-Malbay were greatly embittered. The negotiations for purchase of their holdings fell through. It appeared that Mrs. Morony demanded eighteen and a half years' purchase of the rents at their rack rates in the leases—a rate which would have left the tenants much worse off in respect of their annual payments, when the rates were taken into account, than before the purchase. The better times, however, which followed 1883 to a certain extent relieved the position, and Mrs. Morony says that the boycotting fell off till 1887, when it was again renewed.

In 1886 another incident occurred which has an important bearing on the case. Among the men arrested on suspicion by Mr. Clifford Lloyd in 1882 was a person named Carroll. He held a farm from a small landowner of the same name. The valuation of the farm was 9/, and the rent was 24/. During the bad years of 1879-80 the landlord gave no abatements, and the tenant began to be in great difficulties. His imprisonment affected his reason, and he

came out an altered man. He went, however, into the Land Court, and got a reduction of rent from 24*l.* to 12*l.* 15*s.* He was, however, already a broken man ; he struggled on, and got into arrears again, and finally his landlord evicted him in 1886, together with his sub-tenant, named Connell. The people thought the eviction was a harsh one, as the rent was still 40 per cent. above the valuation, and the tenant had been broken down by the previous rack rent ; and he had offered to pay at the rate of the valuation. In consequence of this strong feeling in the district, no one has been found to take the farm ; it has become derelict, and has remained for two years uncultivated. Connell was allowed by the landlord to remain as caretaker of the house and garden which he held as sub-tenant. When the period for redemption by Carroll was run out, Connell was admitted as tenant at his previous rent, and there was added to his holding a half-acre of land previously occupied by Carroll. Connell was also employed as watchman on the derelict farm. The taking of this additional portion of Carroll's land and his employment as watcher on the farm brought him in conflict with public opinion of the district.

It appears that some discussion took place at a meeting of the National League on the subject of Carroll's eviction, and Connell, who was a member of the League, protested in the most vehement manner that he had nothing to do with the land. It was soon after discovered that at this very time he had hired a small part of it, and was in the employment of the owner. This was so much resented by the members of the League that he was turned out of it ; and from that time he was generally avoided by the people, and was unable to supply himself with goods in the town. Father White, however, denies in the most positive manner that there was any resolution or agreement in the League to boycott Connell. He would not have permitted any such motion to be put.

Connell earned a living partly by lobster-fishing ; using a boat which had been got for him from the Fishery Commissioners through Father White. He also occasionally got a day's labour with the neighbouring farmers. He lived in his cottage with his old mother, a woman aged seventy years or upwards. It is alleged by Mrs. Morony and her friends that the boycotting of Connell and his mother resulted in great hardship to them, and almost starvation, and that they could not even get the necessaries of life. This, however, must have been an exaggeration ; Connell had always found a market for his lobsters at Mrs. Morony's hotel, and he could supply himself with everything that he could possibly want in the shape of flour, groceries, and clothing at that lady's store, which is very little further from his house than the town. The boycotting of Connell began in August 1887, and he was soon after taken into employment by Mrs. Morony. She has made a merit of doing so, as an act of charity.

In September of the same year the National League was proclaimed in the district, and this greatly added to the irritation and ill-feeling of the people. It led to a renewal of the boycotting against Mrs. Morony. The League itself was not only not reduced in numbers by this attempt to suppress it, but the reverse ; almost every man and boy joined it, with the exception of Mrs. Morony's labourers. Unable to hold its meetings any longer in the room where it had been used to do so, the League summoned meetings fortnightly, in the open air, in some field in the country. The attendance at these meetings was much larger than before the suppression of the League, and they have been held regularly ever since.

In December 1887 a series of prosecutions against the tradesmen of Miltown-Malbay was commenced. The first case was the prosecution of four car-owners for refusing to hire cars to the police for the purpose of carrying them to a

meeting of the National League which they intended to suppress. The charge was, in the words of the Coercion Act, 'for conspiring to compel and induce others to refuse,' &c. There was no evidence of a conspiracy and none of inciting others. The only evidence was that when asked to supply cars they refused. Two of the men were acquitted; the other two were convicted and sentenced to a month's imprisonment with hard labour. They were told, however, that if they would promise to supply the police with cars in the future, the sentences would not be carried out. The two car-owners refused to do this. They asked for the statement of a case to the superior court. This was refused, and the two men were sent to prison. Mr. Cecil Roche and Mr. Hodder were the resident magistrates. It is absolutely certain, upon the subsequent decision of the Court of Exchequer in the Killeagh case, that the conviction was illegal, and that these men were unjustly punished.

On the same day, three other tradesmen in the town, blacksmiths, were prosecuted for refusing to shoe Mrs. Morony's horse. Mrs. Morony had for some years past got her horses shod at some other place, but she now sent a servant with her mare to these three men and asked them to shoe it; she had never employed two of them before: they simply declined, saying they were otherwise occupied. For this they were prosecuted before Mr. Cecil Roche and Mr. Hodder, who sentenced them to a month's imprisonment with hard labour. As in the previous case, there was no evidence of conspiracy or inducement, and it is equally certain that the convictions were illegal. The magistrates refused to state a case for the superior courts, or even to extend the sentences so as to allow of an appeal. In this case the papers reported that a long procession of carts from the farmers in the neighbourhood brought provisions for the families of these convicted car-owners.

The success in these prosecutions speedily prompted

Mrs. Morony to others of the same kind. She sent her two servants, McKeon and Kelly, to four of the tradesmen of the town asking, the one for a pennyworth of lace, and the other for a bottle of porter. The tradesmen refused. None of them had ever previously supplied Mrs. Morony. One of the servants swore that they did not require what they demanded. The other, Kelly, in cross-examination, said that he had no money with him—that he went by the order of Mrs. Morony, well knowing that he would be refused, so as to make up a case under the Crimes Act. He could procure all he wanted at Mrs. Morony's store. The four men were prosecuted, but the magistrates, in face of the evidence of Kelly, were unable to convict; Mr. Hodder saying that it appeared to him 'the conspiracy was on the other side.' Within two or three days after this evidence, it is said that Kelly, who had served her for six years, was dismissed by Mrs. Morony.

On the same day ten other tradespeople in the town were prosecuted for refusing to supply Mrs. Connell with goods. Mrs. Connell had rarely made her appearance in the town since the boycotting of her son. She had never been in the habit of making purchases there. There is no doubt whatever that she and her son, at the time of the prosecution, were getting all that they required at Mrs. Morony's store. Prompted either by the police or by Mrs. Morony, or both, she made her appearance in the town a little before Christmas and asked for goods of various kinds at different shops; she was refused, and she subsequently returned with a policeman and asked again. It is certain that she came, not for the *bonâ fide* purpose of getting goods, but in order to get up prosecutions against persons in the town specially selected for this purpose. The evidence, as in the other cases, was simply a refusal to supply; there was no evidence whatever of conspiracy or inducement. Four of these tradesmen were convicted and sentenced to three months'

imprisonment with hard labour. The four who were convicted appealed, with the result that the County Court judge, falling into the same error of law as the magistrates, confirmed the conviction, and increased the sentences to six months' imprisonment with hard labour. Yet it is absolutely certain that in these cases also the convictions were illegal; for there was no evidence whatever of a 'conspiracy to induce.'

In the interval between the charge and the prosecution these tradespeople, at the suggestion of Father White, had offered to supply Mrs. Connell if she would come to their shops without the police. In spite of this the prosecutions were proceeded with. Three days before these two trials came on, Father White received a telegram from Mr. Cox, M.P., begging him, if possible, to keep the country people from coming into the town on the day of the trial, as he had reason to believe that Mr. Cecil Roche, R.M., was making preparations for a conflict with the people. Consequently, on February 2, after Mass, Father White, speaking from the altar, appealed to the people of the country not to come into the town on the day of the trial, and with that object he asked the shopkeepers to close their shops during the trials. The people acted on this advice; the shops were all closed, including all the public-houses. The police had two days to provide all they wanted, and on oath admitted that they did so. In spite of this they knocked at the doors of many of these houses during the trial and demanded drink; the owners refused to admit them; but they opened their doors immediately the trials were over in the early part of the afternoon, after which the police could have got what they had asked for.

For this no fewer than twenty-six publicans were prosecuted for refusing to supply drink to the police.<sup>1</sup> Father

<sup>1</sup> No fewer than thirty-four of the tradespeople in this little town of 1,200 inhabitants are licensed to sell spirits.

White gave evidence on their behalf, and explained the circumstances under which he had advised them to close their houses. On cross-examination the police admitted they had all they wanted at their barracks. In spite of this evidence twenty-one of the accused were convicted of conspiracy to refuse supplies to the police, and were sentenced each to a month's imprisonment with hard labour. After the conviction, an offer was made by Colonel Turner to relieve them from the sentences, if they would promise to supply the police in the future. Eleven of the men thus convicted refused to give this undertaking, and were sent to prison. The other ten gave the undertaking, and were released.

The action, however, of these ten men in entering into an agreement with the authorities to avoid imprisonment caused a very strong feeling against them in the district. For the month during which the others remained in prison, no one at Miltown-Malbay would deal with them. Their houses were shunned by the country people, and even their own near relations and customers kept away from them. They were more miserable than if they had been in jail. This ostracism was only removed by the entreaties of Father White, on the release from prison of the other eleven, who had refused to sign any such undertaking. The people all asked why these publicans should be afraid to go to prison, when members of Parliament, and Priests, and Englishmen like Mr. Blunt had gone there. It was equally certain in these as in the other cases that the convictions were illegal; there was no evidence whatever of conspiracy, and there was in fact no vestige of a conspiracy.

This closed the cases of prosecutions for boycotting. On June 21 of this year the judges of the Court of Exchequer in Dublin decided, in the Killeagh case, that the conviction of four men under precisely similar circumstances for simply refusing to supply goods to a boycotted person, and without any evidence of a conspiracy to compel and induce other

persons to refuse, was illegal. It is absolutely certain upon this decision that all the convictions for the same offence at Miltown-Malbay were equally illegal. Unfortunately for the four men still in prison, there was no redress for them; they had appealed to the County Court judge, who had been equally wrong in his decision as the resident magistrates, and there was no other way of raising the legal point.

It was to be expected then that the Government would be only too glad, under these circumstances, to exercise its clemency, and to release the four men who had been sentenced to imprisonment for six months with hard labour. The case was brought before the House of Commons; the depositions were read there; it was made absolutely clear that the case was on all-fours with the Killeagh case, and that there was no possibility of appeal. The Chief Secretary, however, declined to interfere; he alleged that the case of boycotting for which they had been charged was a cruel one. At the time I write these men are still serving out their sentences in jail with hard labour, with the additional cause for dissatisfaction that they have been convicted in defiance of the principles laid down by the judges.

Meanwhile, however, at Miltown-Malbay these convictions led to another batch of men being prosecuted. In March there was a demonstration of country people to sympathise for the families of those already imprisoned. A large number of farmers brought turf, potatoes, and other supplies to their families. There was a procession of carts and country people through the town, but no disturbance or disorder of any kind. It was admitted by the police that the demonstration was of a peaceful character. For this, however, nine men were prosecuted for taking part in an unlawful assembly, and five of them were convicted, and sentenced to six weeks' imprisonment.<sup>1</sup>

<sup>1</sup> In four out of these five cases the County Court Judge, on appeal, reversed the conviction.



This made a total of fifty-six prosecutions and of thirty-eight convictions arising, directly or indirectly, out of the two cases of Mrs. Morony and Mrs. Connell, and practically it may be said that all convictions were illegal.

On February 11 of this year, after all the prosecutions for refusing to deal had been commenced, Colonel Turner wrote to Father White suggesting to him whether it would not be better that the latter should use his influence with the people to put an end to boycotting. 'If it is not put a stop to, I am determined to stamp it out, and restore to all ordinary rights of citizenship.' 'I should very greatly prefer that the citizens should stop it themselves, and save me from taking strong measures, which I should deplore.'

Father White replied that no man living was more anxious for peace than he was. 'There is but one obstacle to peace. If you can advise Mrs. Morony to restore the evicted tenants, whose rents you admitted were as high as Colonel O'Callaghan's, I can guarantee, on the part of the people, the return of good-feeling ; or, failing that, if she and her employés are content with the goods which she has of all kinds in her own shop, there need be no further trouble. I have a promise from the people that the police will be supplied in the future. This being so, if you will kindly have the prosecutions withdrawn, or even postponed for say a month, it will very much strengthen me in the effort I am making to calm down the feeling. Regarding Mrs. Connell, the head-constable was told by me that she was to get goods, and she did get bread till the police went round with her. This upset all my arrangements, as I had induced the people to give her what she might really want.'

To this Colonel Turner replied that he could not adjourn the cases. But if those who were prosecuted were prepared to make reparation by promising future good conduct in court, he could see his way to interfere, and to

prevent them from suffering imprisonment. He concluded by saying, 'I am greatly pleased at your evident wish to co-operate with me in calming down the ill-feeling which exists, and I am satisfied that success will attend our efforts.'

One may ask why these efforts on the part of Colonel Turner were not made at an earlier date and before the prosecutions? It is difficult to suppose that a little tact on his part would not have induced the people to supply Mrs. Connell with all she wanted. As regards Mrs. Morony, she had her own store. It was also ridiculous to suppose that, in view of the facts I have stated, the people so unjustly prosecuted for refusing to supply drink to the police during the trial of Mrs. Connell's case, would all acknowledge themselves wrong in open court. These eleven men have since been threatened that their licenses will be cancelled for refusing to give this undertaking, although, in fact, they have been willing to supply the police ever since they were let out of prison.

In review of the whole case it is impossible not to come to the conclusion that all these convictions for refusing to supply were illegal. They show also what enormous power is vested by the Coercion Act in the police and the authorities. Out of the whole number of shopkeepers and tradesmen in the town, the police selected just those whom they thought fit, or who were suggested to them for prosecution. The police called upon those indicated and asked them for goods or drink, passing over others whom it was thought expedient not to send to prison. Could anything be more capricious and arbitrary?

It cannot be denied, I think, that the ill-feeling in the town had its origin in the harsh evictions of Mrs. Morony, and in her refusal to reinstate the four tenants when she reinstated the others. It would seem that Sir West Ridgeway and Colonel Turner have recognised and admitted this, for

they joined, long before the prosecutions, in pressing on Mrs. Morony the expediency of reinstating these tenants.

The action of the people in meeting Mrs. Morony's harsh conduct by social ostracism was evidently purely spontaneous ; it was not directed or enforced by the National League or its leaders. It was a popular movement proceeding mainly from the country people outside the town ; rather than from the small tradesmen, whose personal interests would have led them to continue to supply Mrs. Morony. This lady met the movement with courage and determination ; but to most people it must appear that she would have acted more wisely, even in her own interest, and certainly in that of the public peace, if she had yielded to the suggestion of Sir West Ridgeway and Colonel Turner and had reinstated the injured tenants.<sup>1</sup> Instead of that she boldly confronted the popular feeling, and turned upon it with the power conferred upon her and the police by the Coercion Act. It is impossible to justify her action in selecting tradesmen in the town for prosecution, when she was not really in want of anything that she demanded.

The case of Mrs. Connell and her son is an incident really arising out of Mrs. Morony's ; but for Mrs. Morony the Connell case would never have attracted public attention. It is certain that the Connells must have known they could get supplies at Mrs. Morony's store. The allegations about starvation are gross exaggerations, merely for the purpose of adding effect to the story and to justify the prosecutions. Whether the prosecutions in the Connell case were at the instance of Mrs. Morony or of the police only is still uncertain. It would seem that Mrs. Morony wished it to be believed that the prosecutions in her own

<sup>1</sup> Along with their farms, she holds, after tumbling their dwelling-houses, five other houses built by them or their predecessors, confiscated to her by the eviction.

case were due to the police. On her going into one of the shops at Miltown Malbay with her two guards, the owner of the shop said to her, 'Didn't we always pay our rent to you, Mrs. Morony, and why will you come here to injure and persecute us? Don't you see the country people force us to do it?' To this Mrs. Morony is said to have replied, 'I can't help it, Mrs. Donollan. I'm compelled to it. If I didn't do so my guard would be taken from me.'

When the three blacksmiths came out of prison again, Mrs. Morony again sent her mare to them to be shod, and they again refused. Another prosecution would probably have followed. The Killeagh case, however, put an end to this and all further prosecutions for simply refusing to supply goods.

The distinction drawn by the judges in this case between a 'conspiracy to compel and induce others to refuse to supply goods' and a mere refusal to supply on the part of individuals is of the utmost importance. Where boycotting is the result of a deliberate conspiracy of an association, who by intimidation compel a whole neighbourhood to refuse supplies to the person under their ban, it is highly criminal and cruel. Where, however, it is the result of a general popular feeling, roused to indignation by the harsh action of an individual, but without concert or direction, it is certainly not criminal. We may deplore it, and we may deplore equally the harsh action which has led to this popular feeling, but it certainly is, and ought to be, the right of tradespeople to refuse to deal with any person, without alleging a reason for the refusal.

The story of Miltown-Malbay therefore is of interest as throwing light on this subject. It shows the tenacity with which the people hold to their views of injustice in a case of harsh eviction; their determination to insist upon the injustice being remedied by the tenants being reinstated. It

shows the method by which popular feeling manifests itself through social ostracism against those who err against this popular code ; it shows how a courageous and determined woman can confront this popular feeling, and how she can persuade the authorities to put in force the Coercion Act for her, and in defiance of principles of law and justice imprison any one of the people whom she or they may think it expedient to punish.

## CHAPTER XII.

## THE VANDELEUR EVICTIONS.

AT Miltown Malbay, August 31, I met Father Dinan, the Vicar-General of Kilrush, a venerable priest with great influence among the people of his district, and especially with the tenants of Captain Vandeleur. It was at his suggestion and request that I had agreed to visit the district and to enquire into the dispute between Captain Vandeleur and his tenants. I drove with Father Dinan to Kilrush, passing through a somewhat dreary country. My companion, however, had much to tell me of interest. He had been one of the bodyguard of O'Connell in the celebrated election for the county in 1839, and well recollected all the scenes of that celebrated contest.

He also told me all his version of the dispute on the Vandeleur property. He denied that he and the other priests of the district had in any way prompted the tenants to enter into the combination or to adopt the Plan of Campaign. This action of the tenants was purely spontaneous, and was not the result of advice from the National League. When, however, the tenants had entered on their course, the priests, out of sympathy for them, and believing their cause to be a righteous one, had thrown themselves heartily into the movement. He was, however, most anxious to bring the dispute to a conclusion, and he believed that a very little concession beyond what had already been offered might effect this. He said that the National League

flourished in every parish in the district, and that all the efforts to suppress it had only resulted in more members joining it.

As we approached the estuary of the Shannon the country improved in appearance. Kilrush is a town of 2,000 inhabitants, with some small trade as a seaport, and the rudiments of a manufacturing industry, but without any indication of progress. Captain Vandeleur's demesne is at one end of the town, and is well wooded.

The following morning I met a deputation of about twenty of the leading tenants of the Vandeleur property and heard their statements. Several of them had been included in the recent evictions. They explained to me at length the points of the dispute, and expressed their earnest desire for a settlement on reasonable terms. The reinstatement of the evicted tenants would, they all asserted, be a necessary condition. I refrained from giving any opinion as to the merits of their case or any advice as to their action beyond recommending them to be moderate in their demands. I promised to see Mr. Hallam Studdert, the agent of the property, and to talk the matter over with him, with a view if possible to a settlement. There was present at the interview Mr. Micks, an inspector of the Local Government Board, who had previously been the Secretary of the branch of the Land Commission which had dealt with Arrears under the Act of 1882; this had given him great experience in forming an opinion in such cases. He was well conversant with the facts of this dispute, and had at the last moment suggested terms of settlement which had been agreed to by the tenants but rejected by the agent.

On the following morning I visited several of the farms from which the tenants had recently been evicted. The walls of many of the houses had been broken down by the battering-ram, and the buildings were practically in ruins. Emergency men were in possession of some of the premises

In others the evicted tenants were apparently permitted without hindrance to go upon the land for the purpose of saving the crops of hay. The holdings ranged from fifteen acres to fifty or sixty. The houses were well built with stone, and with three or four rooms ; the land apparently well cultivated. The families of many of the tenants had been in possession of these farms for generations. The houses had been built and improvements of every kind had been effected by them. Their tenants' interest was at least equal to that of the landlord. They had been selected for attack as those most solvent and best able to pay in the opinion of the agent.

Temporary huts were in course of erection as near as possible to their former homes for the accommodation of the evicted families. Nothing could be more melancholy than the evidences of conflict in these ruined homesteads and derelict farms over a wide area of country. I saw no sign of yielding on the part of those evicted men I came across, or of regret that they had not accepted the terms offered. They were all confident that their fellow-tenants would stand by them, and that they would be reinstated when a settlement should be arrived at.

I was unfortunately unable to see the agent, Mr. Hallam Studdert, before leaving the district. He was absent from home at the time of my visit, and I had not the advantage of hearing personally from him his account of the dispute. On his return he wrote asking me to call upon him, but it was too late, as I had already left the district. I have, however, corresponded with him at some length, and I offered to go again to the district if he found himself able to make any further proposal to the tenants which it would be worth while that I should use what influence I might have with them to induce them to accept. No such proposal has been made by Mr. Studdert, and I fear therefore that there is no present prospect of a settlement. The



case of the landlord has been most ably stated in two letters to the 'Times' by Mr. T. W. Russell, M.P., who was present at the evictions.<sup>1</sup> So far as I can form an opinion, this statement can only be accepted with reservations, and with the addition of many facts which have been omitted.

The case, however, is not one to be put in the same category as those of Lord Clanricarde and Lord Massereene. There has been no disinclination to negotiate with the tenants as a body or to make the same proportional abatement to all. There has been a demand by the tenants, and a proposal by the landlord ; there has been a difference between these two, neither party in the dispute having been able to give way. It seems to me to be all the more lamentable that there should be no means of adjusting such a dispute by reference to independent authority or to arbitration.

The Vandeleur property consists of about 20,000 acres, with a valuation of 11,200*l.* a year, and a rental of 13,000*l.* The rents previous to 1874 were moderate. The then owner, Colonel Vandeleur, had been member for the county. In 1874 he was defeated at the general election, and it is alleged that, irritated by this defeat and angry at the little support he received from his tenants, he determined to raise his rents ; on the average they were increased by 25 per cent., and in many cases a great deal more. The landlord, however, took upon himself the payment of half the county cess, equal to about  $7\frac{1}{2}$  per cent. The real increase, therefore, was  $17\frac{1}{2}$  per cent. I was most positively assured in many quarters that the increase took place after the defeat, and not before the election, as has been represented in some quarters.

What is certain is that from an early date after this increase large abatements were annually allowed by Colonel Vandeleur and his successors ; and from March 1880, 20 per

<sup>1</sup> See the *Times*, August 4 and 5, 1888.

cent. was regularly allowed in abatement of the rents for several successive years. The rents therefore must be considered, previous to the dispute, to have been only nominally at the high rate fixed in 1874, and have really been very much less. In 1882-3 many of the tenants went into court, and obtained reductions of about 20 per cent.

Colonel Vandeleur died in the year 1881, but for a few years before that he had greatly failed in his health, and was quite unable to manage his affairs. His property was completely in the hands of his then agent, who neglected his work ; in very many cases no rent was demanded or collected at all for four or five successive years. In this manner large arrears accumulated, and in the case of the poorer tenants it must be admitted that these arrears would necessarily be irrecoverable.

On the death of the late owner the arrears of rent were left under his will to his younger sons, and the eldest son, the present owner, is said to have bought out his brothers' interest in these arrears for the sum of 16,000*l.* It appears that on this estate there was always what was called a 'dead year's rent.' The rents were allowed to be a year in arrear, and this formed a provision for the younger children of the owner. The next heir received no rent for a year. Of the 16,000*l.*, 11,500*l.* represented this hanging gale. It is evident, therefore, that the arrears beyond this were reckoned of very little value.

The present owner resided for a short time on the property, but for the last three and a half years he has not visited it. He now resides on the Continent, and it is believed that he is in very bad health, and unable to take part in managing his estate. The management, therefore, has fallen into the hands of his lawyers and of the new agent, Mr. Hallam Studdert. There have been no communications whatever between the tenants and the owner himself.

In 1886, when the great fall of prices of agricultural produce had been confirmed after more than a year's experience, a large number of the tenants asked for a reduction of 40 per cent. in the case of non-judicial rents. This might appear at first sight to be excessive, but it must be recollected that 20 per cent. had been allowed in several preceding years, and that the real rent was practically very much less than the nominal rent. The agent on his part offered to make an abatement of 20 per cent. to non-judicial tenants, but nothing to judicial tenants. He states that this was accepted by a considerable number of the tenants, and he believes it would have been accepted by all, but for the interference of the priests. The tenants deny this, and say that the 20 per cent. represented only the customary abatement, and that the offer practically gave little in respect of the fall of prices.

A large proportion of the tenants, 250 in number, then joined in combination and adopted the Plan of Campaign. Many others, about 100 in number, preferred not to join, but acted on the same lines as those who were in the combination, and refused to pay without a similar abatement. On the other hand, a not inconsiderable number of tenants were so much in arrears that it was considered they could not be treated in the same manner, and they were purposely excluded from the combination, as non-paying tenants. Many of the tenants with judicial rents also joined, asking an abatement of 20 per cent. Of the 250 tenants who joined in the combination, all but 80 had paid their full rents up to March 1885; they were, therefore, in arrear only to the amount of the year's hanging gale. No further negotiations took place till the middle of 1887. The Land Commissioners, in the beginning of June of that year, had settled several cases of judicial rents on the Vandeleur property, and had made reductions averaging  $32\frac{1}{2}$  per cent. Negotiations were then resumed between the tenants and the

agent. The tenants were prepared to reduce their demands for abatement by 5 per cent., and the agent, on his part, was willing to make some concession beyond what he had originally offered. He was prepared to take the decisions of the Land Commissioners as a basis, and apply it to the arrears of rent, the tenants, however, to pay the half county cess. This, when worked out, was equivalent to an abatement of 25 per cent. The tenants, on their part, asked for 35 per cent. In the case of judicial rents the agent was ready to make abatements of rents decided previous to 1886, so as to make an equal abatement of  $32\frac{1}{2}$  per cent., as given in the recent decisions of the court.

A difference of 10 per cent., therefore, existed between the landlord and the tenants. It is impossible for an outsider without special knowledge to say which of them was in the right. One cannot but feel how unfortunate it was that at this point of the dispute it could not have been settled by independent authority or by arbitration. If the Act of 1887 had contained a clause dealing with arrears, as asked for by the Irish members and supported by the Liberal party, the dispute would undoubtedly have been brought to a conclusion.

No agreement being come to, the dispute continued, and in 1888 became more complicated, owing to the increasing arrears of rent, and to the fact that judgments having been obtained against many of the tenants, there was the greatest sense of insecurity, and the tenants were unable to cultivate their lands to advantage. It is very difficult to follow the negotiations which ensued, or to understand the offers and counter-offers that were made. The agent in the course of the present year (1888) offered to give a clear receipt up to March 1886, upon payment of a year's rent subject to a deduction of  $32\frac{1}{2}$  per cent. as previously offered, the tenant to pay the half county cess; all previous arrears were to be cleared off by this payment. The tenants

on their part asked for a clear receipt up to March 1887, on the same terms.

Finally, just before the evictions commenced a great effort was made by Mr. Micks, the Local Government Surveyor, and by Mr. Reeves, a local landowner, brother-in-law of Captain Vandeleur, to get the tenants to make some further offer of concession on their part. Mr. Micks persuaded them to offer to take a clear receipt up to September 1886, instead of March 1887, on payment of a year's rent with abatement, thus approaching the landlord half way. Mr. Reeves is also said to have made a proposal for a settlement even more favourable to the tenants. The tenants say that these proposals were rejected by the agent.

On the other hand, Mr. Studdert gives a somewhat different version of Mr. Micks' offer ; he says that he was prepared to accept it, but that the priests interfered to prevent the tenants coming to an agreement. Whatever the real facts, it is certain that the two parties to the dispute had very nearly approached to one another ; and it seems to be very unfortunate that more time was not given for the negotiations before the evictions were carried out. I have strongly urged on Mr. Studdert that even now the question between Captain Vandeleur and his tenants should be referred to arbitration. The tenants, I am assured, are prepared to adopt this course ; but the agent has refused. It seems to me to be lamentable that when the difference is so small some means should not be devised to bring this dispute to an end and to avoid wholesale evictions.

Meanwhile legal proceedings of a costly character were adopted. No fewer than 86 ejectment decrees were obtained, and the tenants were turned into caretakers. Notices were issued to the Poor Law Authorities of the intended evictions of these 86 persons and their families. There was a period of dreadful suspense, and no one knew on whom the blow would fall. The houses of all of them

were prepared for a siege, and remained in this condition for some weeks. In July last a large force of police, supported by detachments of the 3rd Hussars and of the Berkshire Regiment, were brought into the country and were placed at the service of Captain Vandeleur and his agent. They were accompanied by Colonel Turner, the Divisional Magistrate, and by Mr. Cecil Roche. A battering-ram, consisting of a huge beam with an iron ferule supported on a tripod, was for the first time brought into use. The proceedings were of a most methodical and strategic character ; no one was allowed to approach the houses on which the attack was to be made, except the reporters of the press and a few favoured persons, such as Mr. T. W. Russell, M.P., who came there in company with Colonel Turner.

The tenants in every case encountered the attack with more or less resistance. They barricaded their houses and ejected hot water and stirabout upon the police. The battering-ram proved very effective, and soon disposed of resistance by making breaches in the walls. The bailiff and police then entered, arrested those engaged in the defence, and summarily ejected all the furniture and household goods of the inmates. In some cases, after all resistance was over the police assisted in battering down the buildings.

The prisoners, in most cases, were brought up at once before Mr. Roche, R.M., who, sitting in the open air, on a rock or on a rail, dealt with the cases, drew up warrants for their arrest, remanded them for further trial at Kilrush, and, refusing to accept bail, except in the case of girls; sent them to prison. The proceedings lasted over several days ; twenty-two tenants were evicted. In many cases notices had been served on the sheriff and agent that the Act of 1887 had not been complied with in a very important respect, and warning them that the evictions were illegal. In spite of these notices, the sheriff, in seven cases, carried out the instructions of the agent, and evicted the tenants, and

almost demolished the houses. Civil and criminal proceedings have been at once commenced against the authorities by the tenants, and a crop of litigation is promised. It would seem that in these cases, at least, the proceedings were reckless of consequences.

In all cases the agent appears to have made the same offer before finally evicting the tenants, that is, that on payment of costs and of a year's rent up to March, 1886, subject to abatement, the previous arrears would be wiped out, a clear receipt would be given up to this date, and the remaining rent would be allowed to stand over for future demand. To the bulk of the tenants who had joined the combination, and who had paid their full rents up to March, 1885, the terms amounted to no more than those offered in 1887. On the other hand, to tenants owing four or five years' rent the terms were more generous, as all arrears of rent due previous to March 1885 would be wiped out. These, however, could not be considered as otherwise than irrecoverable.

It is alleged in the 'Times' report that in some cases the tenants very reluctantly refused these terms. It has been stated that the cases selected for eviction were those where it was considered that the tenants were best able to pay; and possibly, in some of them, the tenants might have been able to pay out of other sources than the profits of the land, and if they had stood singly would have elected to pay, when threatened by eviction at the point of the bayonet, rather than be thrust from their homes and lose all their interest in them. But they felt bound in loyalty to their fellow-tenants. The essence of the combination was that those in a better condition should stand by those who were poorer, and that all should be willing for the common good to submit even to eviction. All, however, equally with the poorer tenants, claimed the abatement as a matter of right; and if they had stood alone, while submitting to the payment, would have bitterly complained of it. I was assured that it was an entire

mistake to suppose that any of them were influenced by fear into doing that which they believed to be wrong. In this, as in some other cases of the same kind, the agent has stated that he is able to produce communications from a few individual tenants, expressing their disapproval of the action of their fellow-tenants, and saying that they were coerced into refusing to come to terms separately. In such combinations, however, there are always a few individuals who desire to stand well with both sides ; who, while joining with the tenants on the one hand, and expressing hearty sympathy and co-operation with them, go behind their backs and endeavour to curry favour with the landlord, and so avoid being the objects of the first attack, by representing that they are unwillingly coerced by their fellow-tenants into refusing his offer. There always have been, and always will be, in every combined movement, a certain few individuals of this kind. They do not affect, however, the general aspect of the combination.

It is my belief, from what I have heard, that the combination represents the average opinion and convictions of the tenants, and that they are voluntarily parties to it. The wonder is that in face of eviction, with the threat of losing all their interest in the home and holding to which they are so passionately attached, with the certainty of imprisonment if they resist, or in any case of being cast homeless on the world with very uncertain prospects of maintenance, there were none found ready to come to terms individually with the landlord, but that all stood true to their fellow-tenants. If there were among those evicted, men who were known to the agent to be unwilling victims of a combination, it evidently did not occur to him to make exceptions in such cases ; they were evicted equally with those who were known to be heartily in accord with the movement.

Colonel Turner has since written to the ' Daily News ' to



say, that having been present at these evictions,<sup>1</sup> 'he was convinced by most careful investigation that one and all of them were well able to pay ; and many resolved to do so, but were afraid, as more than one admitted ; that there was no case of hardship, as far as the landlord was concerned, but quite the contrary. To show what the coercion exercised on the tenants was, one of them who resisted but little, and whom he directed to be released, begged him to keep him a prisoner, and have handcuffs put on him, in order that it might be judged he had resisted sufficiently.'

On the other hand, it is undoubtedly the opinion of many other persons who have made inquiry into the general circumstances of the tenants, that the final offer made by them through Mr. Micks, and to which their assent was obtained with great difficulty, represented the very extreme which, with rare exceptions, they were able or could be expected to pay.

In this case, as I have already pointed out, it is impossible for an outsider to form an opinion as to whether the terms offered by the landlord or those claimed by the tenants were under all the circumstances fair and reasonable. I have endeavoured to state the case fairly between them. What is certain is that, in the early days of the dispute, in 1886, far better terms might have been made by the landlord than now after two years' delay. As in other cases, his offers have come too late ; delay has aggravated the position ; and the recent evictions have created still further difficulties.

It is obvious that the reinstatement of the evicted tenants, and the rebuilding of their houses so ruthlessly broken down, must enter into the consideration of any future settlement. Meanwhile the uncertainty and alarm under which the tenants still in possession live, prevents them from cultivating their farms to the best advantage.

<sup>1</sup> *Daily News*, September 12, 1888.

From the latest accounts I have received, the tenants not yet evicted stand firm, and have determined not to give way. It would seem from Colonel Turner's letter already referred to, that he is urging on the agent, Mr. Studdert, to fresh measures ; he says :—

‘ I have not hesitated to express my regret that so far no steps have been apparently taken on behalf of the landlord to utilise the effect of these evictions and work the evicted farms. Evictions are a sad necessity, and especially so where the tenants can pay and will not ; but certain duties are incumbent upon a landlord in the assertion of whose just rights the forces of the Crown are properly employed, and if the vile and dishonest conspiracy known as the Plan of Campaign, than which a more fraudulent scheme was never started by seditious minds, is to be successfully fought, more must be done than merely evicting tenants and leaving the evicted farms idle ; and the combination will not be defeated until such takes place. In this connection I am able to state, in fairness to the agent, Mr. Studdert, that this defect is now being remedied, and that active steps are being taken on behalf of the landlord to save the crops, to stock the lands, and generally to utilise these evicted farms.’

It appears, then, that the Government, through Colonel Turner, is urging on the agent to fresh acts of hostility, and holding him back from any attempt to conciliate and to effect a settlement. It may be for this reason that Mr. Studdert has shown himself less ready to act on my suggestion that the question in dispute should be referred to arbitration. I hear that emergency men are being employed by the agent to gather in the crops ; and by the last accounts several of the tenants are being prosecuted for trespassing on the farms from which they have been evicted. Fresh evictions, it is announced, are to follow, as soon as the Government is in a position to lend its forces

again in aid of them ; and the tenants have again met and decided to stand firm in their resistance.

What then is to follow? Is a whole population to be evicted because of a dispute involving a difference originally of not more than 10 per cent.? Are the forces of the Crown to be used for carrying out to its bitter end this policy of clearing the estate rather than give way on so small a difference? Let us suppose, for the sake of argument, that the tenants are in the wrong, and that they ought to accept the offer of the landlord ; is it the best mode of persuading them that they are in the wrong to send the forces of the Crown to evict them by wholesale? If it be the fact, as is believed by the agent, that the attitude of the tenants is due to the priests, and to other agitators, who are using them for political purposes, does not this constitute the stronger reason for endeavouring to withdraw them from these influences, by offering some other arbiter of their claims? What then is required in this and other cases of the kind is that some independent authority should intervene between them and their landlords, and decide as to what is reasonable and fair under all the circumstances.

## CHAPTER XIII.

## RETROSPECT AND CONCLUSIONS.

A REVIEW of the dispute between landlords and tenants in the three principal cases which I have dealt with shows that they all had their commencement and origin in the same cause, the great fall of prices in agricultural produce which occurred in 1885 and 1886—a fall which made it most difficult, if not impossible, for tenants in Ireland to pay their full rents, even their judicial rents, where these had been fixed before 1885, on the average of prices which had previously prevailed.

Large numbers of landlords met this fall of prices, even in the year 1885, by not inconsiderable abatements of rent in the case of non-judicial tenants; but in the following year abatements of rent were far more general, were of larger amount, and were conceded even in the case of judicial rents.

Unfortunately, however, while there are in Ireland very large numbers of landlords who are considerate to their tenants, and who are anxious to meet them half way when difficulties of this kind arise, there is also a minority of landlords who are the very opposite, and who are not inclined to make any abatement of their claims, however great the difficulties may be; and between these two classes are others of every gradation from good to bad.

The problem of land legislation in Ireland has always been how to protect the tenants from the bad class of land-

lords, and how to induce or compel such landlords to act as reasonable men, and to follow the example of those who are ready to do what is just, without compulsion.

In the autumn of 1886 Mr. Parnell introduced his temporary Bill to deal with this difficulty. He proposed to enable the Land Commission to make abatements on judicial rents, and he also proposed to admit the large class of leaseholders to the benefit of judicial rents, from which they had been excluded by the Act of 1881.

The Government opposed this measure and caused its rejection. They declined altogether to deal with the question in that session. They disputed the urgency of the claims of the tenants. They denied the contention that prices had fallen so as to make judicial rents unfair. The utmost they would do was to appoint a Royal Commission to inquire into the subject.

It will not be contended that the proposal of Mr. Parnell was altogether satisfactory or complete. It did not affect the position of tenants who had not obtained judicial rents. These tenants laboured under two difficulties: the one, that under the Land Act of 1881 the judicial rents dated, not from the time when the application was made, but from the time when the decision was given, and as from the press of business a long delay took place, it was generally two years, and often more, before the tenants could get relief, and meanwhile they remained under the legal obligation to pay the excessive rents. The other difficulty was, that many of them had old standing arrears hanging round their necks. These arrears, though not fatal to the tenants going into court for judicial rents, were yet used by the landlords with this object; for, if the tenant in arrear announced his intention to go into court, the landlord threatened to enforce his claim for arrears of rent. Cases have not unfrequently occurred where tenants, having obtained a judicial decision largely decreasing their future

rents, have been evicted immediately for non-payment of arrears of excessive rent. Such a case occurred on the Clanricarde property.

The first of these defects in the Act of 1881 was cured by the Act of 1887, by which it was provided that judicial rents should in future date from the time when the tenant applies to the Court. There can be little doubt that if legislation had been conceded in 1886, this provision would have been included.

In 1887 the Royal Commission presided over by Lord Cowper, and on which there was not a single representative of the Irish Nationalist Party, reported, and fully admitted the agricultural crisis; they recommended that judicial rents fixed in 1885 and later should be revised and readjusted to the fall of prices. They confirmed, therefore, most fully the case on which Mr. Parnell had relied for immediate legislation in the previous autumn. The Government acted upon this report, though with great reluctance and against their previous declarations; they gave way, not to the justice of the claim or to the demands of the Irish members, but to the exigencies of party pressure in the House of Commons, and because the Dissident Liberals could not be depended on to support them in their refusal.

Lord Salisbury, Mr. Balfour, and even Mr. Goschen had seldom spoken on the Land Act of 1881 without referring to it as a measure of confiscation, and as one opposed to the dictates of political economy, in having created a system of dual ownership of land in Ireland; and they set before themselves the task of remedying this evil by restoring single ownership and freedom of contract. It was, however, by a curious Nemesis, their task to give the widest possible expansion to the principles of the Land Act of 1881, and very much to extend the system of dual ownership.

The Act of 1887 effected these objects in the interests of tenants :—

1. It admitted to the benefit of judicial rents the very large classes of leaseholders and holders of town parks.

2. It provided that judicial rents should in future date from the time of the application by the tenants, thus accelerating them by two years or more.

3. It allowed judicial rents fixed before 1885 to be revised in accordance with the lower range of prices.

The Government also admitted the expediency of dealing with arrears of rent. Unfortunately, however, instead of listening to the proposals of the Irish members for a remedy in this respect, they lent their ear to the Dissident Liberals, who proposed to deal with them through the medium of bankruptcy; and when this remedy was unanimously objected to, and rejected by all parties in Ireland, the Government declined to deal with the question.

The Act, however, as it passed, was a practical admission that the demands of the Irish members in the previous year were fully justified. Nothing had occurred in the interval to alter the justice of the claim. Unfortunately, as has so often been the case in Irish affairs, the remedy had been too long delayed. The agrarian crisis did not wait for the report of the Cowper Commission, or for the Parliamentary convenience of the Government. The tenants claimed an abatement of rents due in the autumn of 1886, as a matter of equity between themselves and their co-partners the landlords. The claim was conceded by a large proportion of the landlords, but was strongly resisted and refused by a minority of them.

The then Chief Secretary, Sir M. Hicks-Beach, having rejected the demand for legislation, went over to Dublin for the autumn, and soon learned the true state of things, and in a most laudable manner used the whole influence of the Government in favour of the tenants; he did his utmost to induce landlords to make abatements; his letter to Lord

Clanricarde is strong proof of the length he was prepared to go.

The tenants, on their part, had not been idle. Finding their demands rejected in Parliament, they met the emergency by combination. The Plan of Campaign was a very acute and unquestionably an illegal form of combination. It was a weapon to compel landlords of the worst class to concede abatements, which public opinion in Ireland declared to be essential, which the Chief Secretary and the Irish Government considered to be expedient, and the justice of which Parliament in the next session affirmed.

The Plan of Campaign has never been justified, even by its inventors, as a method which should be adopted in ordinary times ; they have defended it as a desperate remedy to meet a desperate emergency, and in the belief, that if some means of safety were not devised, vast numbers of tenants would be ruined and evicted, and that there would be another outbreak of agrarian crime. The combination was a powerful engine of compulsion, not merely on landlords of the worst class, but on many others who were hesitating what to do.

No proposition was ever more clearly and certainly affirmed by subsequent events and experience than this, that if the Act of 1887 had been adopted and passed into law in the previous year, there would have been no combinations, and the Plan of Campaign would never have been invented. The responsibility for it, therefore, must be largely shared by those whose neglect of their duties as statesmen brought about the state of things which gave birth to it.

The Act of 1887 has been most satisfactory in its operation, so far as it went ; it has relegated to the Land Commission future disputes as to judicial rents, and as to leaseholds and town parks, and it has greatly improved the position of non-judicial tenants by the provision already alluded to. There cannot be a doubt that if it had also dealt with



arrears of rent, much of which was due to the delay and neglect of Parliament to legislate in the previous year, all the remaining disputes between landlords and tenants would have been disposed of, combinations would have ceased, the Plan of Campaign would have disappeared.

In the failure of Parliament to deal with the question, the combinations and Plan of Campaign have also had an important effect. Out of the seventy cases where it was adopted by the tenants, agreement has been come to in nearly two-thirds. The landlords gave way in great part, and the tenants accepted something less than they had asked for. Agreement was thus arrived at, and where that was the case, peace and content were at once restored, every semblance of disturbance ceased, and there has been no excuse for putting in force the Coercion Act.

It is very different where these disputes still exist. It is probable that there are not more than two dozen cases over Ireland where disputes exist on any scale between large bodies of tenants and their landlords, and where the Plan of Campaign is still in force ; there are also numerous other individual cases of dispute between landlords and tenants on the same subject, namely, as to arrears of rent ; but they are few in number, in proportion to the whole body of tenants. But these cases of combination and dispute are the centres of disturbance, and almost the sole cause for all the proceedings under the Coercion Act.

Of the 1,700 prosecutions and 1,200 convictions under the Act, nearly all can be traced directly or indirectly to these remaining disputes with respect to arrears of rent.

Why has it been found expedient by the Government to proclaim a particular district and not another ? to suppress branches of the National League, to prohibit meetings, and to forbid the sale of 'United Ireland' ? Why does boycotting exist in one district and not in another ?

The answer is, that in the districts where these proceedings

take place, there is some unsettled dispute with respect to arrears of rent, and that the others are free from them.

It will be found, on examination of the cases of prosecution, that they occur in groups ranged round some central dispute, or that they follow in a kind of logical sequence. The Clanricarde case is a fair example of this. It will appear from my narrative that over 160 persons have already been prosecuted directly or indirectly by reason of this one case of dispute.

Seventy-five persons, I have shewn, were prosecuted at Sligo for resisting evictions; twelve persons were convicted for being present at the midnight meeting at Woodford called to express sympathy with the tenants; twelve other persons were prosecuted for being present at a demonstration on the release from prison of some of those previously convicted; later, eight more men were prosecuted for resisting further evictions. Mr. Blunt was then sent to prison for holding a meeting to express sympathy with these tenants. At his trial a demonstration took place, and a batch of persons were prosecuted for it; and on his way to prison another demonstration took place at Galway, and another batch of ten persons were sent to prison. Later, Mr. W. O'Brien attempted to hold another meeting at Loughrea, and he and thirteen others have been prosecuted for so doing. Lastly, wholesale evictions have been again renewed, and forty persons are now under trial for resisting. As only thirty tenants out of 1,500 have as yet been evicted, and there is no sign of yielding, it is impossible to say how many more persons may yet find their way to prison out of this single case. It may, however, be confidently stated that the cost to the Government in the movement of troops, in the briefs for prosecutions, and in the imprisonments, vastly exceeds the total amount in dispute between Lord Clanricarde and his tenants.

In the same way the dispute between Mrs. Morony and

her former tenants has already led directly and indirectly to the prosecution of about fifty-four persons ; that between Lord Massereene and his tenants to the imprisonment of fifteen persons for resisting evictions, of twelve persons for an alleged disturbance at the trial of Mr. Dillon, of five others for booing at and hooting Mr. Dudgeon, the agent of Lord Massereene, and, lastly, of Mr. Dillon himself—a total of thirty-three persons. The Vandeleur case also has already resulted in the incarceration of twenty persons for resisting eviction, and while I write twenty-one others are being prosecuted for trespassing on the farms from which they have been evicted.

In view of these figures and of the facts which I have established, it must be clear that the Government have brought all the forces at their command and all the exceptional powers of the Coercion Act to bear in favour of one party to the dispute, and against the other ; that the local authorities, acting under this inspiration, and doubtless with the most conscientious motives, have used the powers entrusted to them in the most unsparing manner to put down combinations, to suppress public meetings, to stifle free speech, and to imprison in any way or for any cause those who, they think, are engaged in combinations against the landlords.

It is fair, however, to look at the position from the point of view of the landlords concerned. They hold that the combinations are the prompting of external agitators and not the spontaneous action of the tenants themselves. They believe and contend that the tenants were well able to pay the full rents, and if left to themselves would have done so. They claim that they were quite prepared to deal equitably and generously with any individual cases, but they object to any collective demand on the part of the tenants. They hold that a large proportion of the tenants have been coerced into joining the combinations, and that,

if freed from intimidation, they would come in separately and pay their rents ; they point to individual cases in which tenants have come to their agents privately, and have expressed their readiness to pay, if permitted by the League ; they maintain the combination under the Plan of Campaign to be nothing but a dishonest and fraudulent attempt to escape the payment of debts, and to injure and ruin the landlords. They honestly believe that if the Coercion Act is freely used the combinations will be broken, and the tenants will return to their proper allegiance.

On their part, the tenants reply that the combinations have in all cases been spontaneous, originating with the tenants themselves, and not under the advice or compulsion of the National League ; though they admit that when once entered upon they have received support and advice from outside. They hold that the condition of things in 1886 justified them in a demand for a general abatement of rent ; they quote, in support of this, the general action of other landlords, the pressure on landlords by Sir M. Hicks-Beach, and the action of Parliament in 1887. They claimed abatements as a right arising out of their position as co-owners with their landlords ; they maintained that it should be general, and proportional to the rent, and should not be refused to those who, by better skill or thrift, or through other employment, had the means out of which the full rent could have been paid ; they say that the offer of landlords to deal with individual cases is only a familiar form of refusing to do anything ; they maintain that the combinations have been freely entered into without compulsion, though they admit that there are and always have been a few individuals who, while joining heartily in combination, are ready to go behind the backs of their fellow-tenants, and to curry favour with the agent, by representing that they are ready to pay their rents if not coerced by others. They allege that they are and have been all along ready to

come to terms, such as all reasonable landlords have been conceding to their tenants during the last two or three years, and they are willing to submit the question in dispute to arbitration, subject only to the reinstatement of those who, they maintain, have been unjustly evicted.

In some cases, as in that of the Massereene property, the dispute has been narrowed down to the question of those evicted tenants. The landlord has given way, and is willing to concede the abatements asked for, or something closely approaching them, but will not reinstate those who were the leaders of the movement. The tenants in such cases say that they are bound in honour to stand by the evicted tenants who have cruelly suffered for their fellow-tenants, and they refuse to come to terms unless those leaders are reinstated.

These, I believe, fairly represent the issues, and the arguments of both sides to these disputes. In the cases I have inquired into, and with some reservation as to the Vandeleur case, which differs in essential particulars from the other two, I think the contentions of the tenants can be sustained.

It is said, however, that even if the main contentions of the tenants be proved, yet, as they have adopted a form of combination which the courts of law have declared to be illegal, they have put themselves in a position where they are not entitled to consideration, and that the Government are justified in supporting the landlords in their resort to wholesale evictions.

Is this, however, wise and practical statesmanship? Assuming all that can be said against the Plan of Campaign, the question still remains whether the best mode of dealing with it, and of preventing its being resorted to again, is to throw the whole weight of the Government against the tenants, and to assist the landlords in these wholesale evictions.

Would it not be wiser to recognise the fact that this form of combination came into existence through the re-

fusal of the landlords to act reasonably and as other landlords were doing in 1886, and through the neglect of Parliament in the same year to appreciate the gravity of the agricultural crisis and to legislate in accordance with the demand of the Irish members? Would it not be true statesmanship to cut off the excuse for combination by removing the cause?

The present position in Ireland is very similar to that which I have described in 1882, when the leading men of the Nationalist party were in prison, when the tenants had been invited by responsible leaders not to pay rents, and when the same difficulty with respect to arrears of rent existed. Parliament was not then deterred by the existence of the No-Rent Manifesto from dealing with the question of the arrears or from releasing the suspects.

So now again some of the most popular men in Ireland are in prison or are awaiting prosecution, and a number of other less conspicuous persons are in the same position. If I am right in what I have said, all these imprisonments may be traced directly or indirectly to disputes between a comparatively small section of landlords and their tenants as to arrears of rent.

Can there be a doubt then as to what should be the policy of the Government? If they would, even now at the eleventh hour, announce that they will not lend the forces of the Crown for the wholesale eviction of tenants, but will, when Parliament meets, introduce a measure to deal with arrears of rent, and to enable tenants who have been evicted for excessive rent to redeem their holdings, and if in the meantime they would direct a jail delivery, all difficulties would be removed. It may confidently be predicted that these measures would have an instantaneous effect, peace would be restored to the proclaimed districts, and all cause for prosecutions under the Coercion Act would entirely disappear.

## APPENDIX A.

MR. WILFRID BLUNT ON HIS PRISON  
TREATMENT.<sup>1</sup>

WHEN taken to Galway Gaol I had no intention of refusing to comply with the prison rules, but I found it necessary to make a stand on the subject of my own coat. The prison dress is neither sufficient in cold weather, nor for a grown man quite decent, and I insisted on retaining my own coat in addition to it. The governor allowed me to wear it for several days, and it was only, as he himself told me, under direct and imperative orders from Dublin that he used force to deprive me of it. There is nothing in the printed prison rules authorising such violence. He apologised to me for it at the time, and so did the warders. The visiting justices recommended that my coat should be restored to me, that I should have firing, a large print Bible, books, and writing materials. All these matters were referred to Dublin and refused, the telegraphic answers being signed 'Prisons Board,' but headed 'Chief Secretary's Office.' Capt. Mason, when I asked him what the relations were between the Prisons Board and the Chief Secretary, answered that they were precisely the same as those between himself and the Board, that is to say, 'they must do exactly as they are told.' It was never pretended that the order to deprive me of my coat was given by any one but the Chief Secretary.

The petty vexations to which I was submitted, the withdrawal of my Bible, the seizure of my pocket handkerchiefs, my deprivation of hair-brushes and tooth-brushes, and the rest, were in consequence of visits from the Prisons Board Inspector

<sup>1</sup> Extract from the *Home Rule Journal*, August 1888.

Joyce. At the time he ordered the seizure of my great-coat, another political prisoner, Martin Egan, in the same gaol, was wearing his own ordinary clothes unmolested ; so that it cannot be pretended that I was assaulted in accordance with any immutable rule. The warders in Galway Gaol told me they could not in practice carry out the rules in every case to the letter. It would be cruel, and sometimes dangerous. In my case the rules were constantly relaxed. I was never required to clean my cell, or to take more exercise than I wished. The oakum I picked was entirely at my discretion. I was never once 'punished,' though my warders were ; and the Governor and other officials always addressed me as 'sir.' The special treatment allotted to each prisoner was unquestionably decided by caprice.

The prison officials in Ireland are, without exception in my experience, humane and worthy men. For their own comfort's sake, they are anxious to avoid collision with the prisoners ; and, except under pressure from the Prisons Board, would remain on a kindly footing with them. They are, however, terribly afraid of the Board, and of the system of delation encouraged by it. They are ill-paid, and are subject to fines for breaches of discipline, and are dismissible at will. Leading a melancholy life, they are particularly subject to the temptation of drink ; and this lays them open to charges of intemperance, which afford an easy occasion, when it is desired, for their dismissal.

Of the six officers most directly responsible for my disciplinary treatment, five have, to my knowledge, incurred punishment. Capt. Mason, the governor of Galway Gaol, an easy-going man, who relaxed the rules very considerably in my favour, has been required to leave the service. Chief-warder Grant has been degraded in rank, reduced in pay, and removed to a convict prison. Warder Denby, especially in charge of me, has been dismissed ; and two other warders connected with me have been fined and reprimanded. The charges brought against them were, indeed, mainly foreign to my case ; but I have no doubt whatever that their humanity towards me was the prime cause of their disgrace. They are practically at the



mercy of the Board, and, through the Board, of the Government.

Similarly, in regard to medical treatment, the prison surgeons are, I believe, humane and honourable men. But in their relations with their political prisoners they are interfered with by the Government. Dr. Kinkaid, who attended me at Galway, was, to my knowledge, summoned before the Prisons Board at Dublin and cautioned regarding me by Mr. Bourke, the Chairman of the Board. He was forbidden, I understand, to take me into hospital except in the case of my very serious illness, and was threatened with the interference of another doctor if he should so remove me. I attribute to this warning the fact that he afterwards neglected to take Mr. John Roche into hospital until it was almost too late. It seems to me highly probable that the unfortunate Dr. Ridley had similar pressure put on him at headquarters ; and that he destroyed himself on finding that he had been made an instrument of by the Government, without means of proving the orders he had received. Dr. Kinkaid's instructions in my case were verbal.

I argue from these facts three things :—

1. The Prisons Board, which was instituted to protect prisoners from local abuses and irregularities, has been made use of, like every other institution in Ireland, as an instrument of the Government against political prisoners, the ordinary discipline of the prisons being strained in their case capriciously by the Chief Secretary.

2. The prison surgeons, who should be solely responsible for their patients' health, have been subjected to Government pressure through the Prisons Board, and have thus ceased to be quite responsible agents.

3. The Chief Secretary remains as the sole representative of power, and the sole person responsible for life and death in the Irish prisons.

## APPENDIX B.

THE PUNISHMENT OF POLITICAL PRISONERS.<sup>1</sup>

BY MR. FREDERIC HARRISON.

WHAT is a political prisoner? What constitutes a political crime? On what principle are political criminals to be treated with any exceptional indulgence?

A political prisoner is one whose offence is committed, not for private profit, but for public duty; who glories in the act as a meritorious public service in itself; who is supported by the devoted admiration of a political party; whom his own side regard as a martyr, and whom the other side regard as mischievous, but certainly not as dishonoured. A political offence is such that one political party denies it to be an offence, and the other political party does not pretend it to be infamous. An ordinary criminal does not venture to say that the act of which he is accused is honourable. He simply asserts that he did not commit it. Such friends as he ever had cease to be his friends, much less his admirers. No man whatever admits that a decent man could be guilty of such a crime. No man glories in it, or admires it. To have committed it is to be by universal consent out of the pale of self-respecting men. No one will associate with an ordinary criminal. Neither he nor any one else denies that the act, if committed at all, is a permanent mark of degradation.

A political prisoner, again, is usually a man of culture, of social refinement. He is often in nurture, in tastes, in delicacy of mind, the equal, it may be the superior, of his jailor. He

<sup>1</sup> Extract from the *Home Rule Journal*, March 1888.

has acted up to his conscience; he abhors the brutality of crime; he is quite as sensitive as any Minister of the Crown. To treat such a man as a gaol-bird is an act of wanton outrage and malignant stupidity. The system of our prisons is rough, harsh, and intentionally degrading. Ninety-nine out of every hundred prisoners are, or are believed to be, coarse, degraded, filthy, shameless wretches—the scum and refuse of the people, inured to physical hardship, and callous to personal degradation. Here and there a cultivated man commits a vulgar crime, but the infamy of his offence is rather increased than lessened by his higher breeding; and if he suffers more, he has sinned more deeply and more unpardonably. He knows it, and does not deny that the act is a crime. Prisons would be holiday-homes for our criminal classes, unless they were designedly brought down to the level of the most callous, brutal, and roughest of the people. To force a high-minded, refined, and honourable man to submit to the same humiliation is a wanton and dastardly outrage, akin to the infliction of torture.

It in no way follows that a political crime is not to be punished. Political crimes are, in effect, often as bad as any crimes; they may deserve any punishment up to death itself. The political criminal may be a great offender against God and man; but he is not, or is not often, a personally degraded wretch. He has not lost his personal honour. He is not brutalised. He may be violently wrong-headed; but he carries himself, in his own eyes and that of his party, as a man of stainless honour and unspotted character. No degradation that is inflicted on him alters that sense in his mind or that of his friends. Neither he nor they feel at all degraded by outrage, any more than we feel it in the case of martyrs and apostles. And to inflict outrage on such men is either petty spite or blundering stupidity.

No one pretends that laws can be strictly adjusted to political crimes, or that some very brutal wretches might not possibly be brought under any definition of political criminals. ‘Offences of a political character’ is, however, a term known to English law. No political offender has ever been asked for out of English hands, and none will ever be surrendered. If a single phrase in an Act of Parliament has sufficed to define a political offence, it need not be impossible to define it for purposes of

English prisons. But no one demands any hard and fast rule. In truth it is a matter not of law but of discretion. And not so much of discretion, as of prudence, of decency, of self-respect, and of honour. It is hard to understand how a man, accidentally invested with executive authority for the span of a single Parliament, can meet his political rivals in the House, in society, in business, treat them as his social equals and his honourable opponents, and the next day can force them to herd with the foulest and most brutal ruffians—obscene, verminous, and loathsome wretches—can subject them to every physical and moral outrage that can be heaped on them, short of actual torture, and then turn round and quietly say, ‘Oh ! it is the law ; these honourable members should not break the law.’ Such may be the law ; but it is not the ways of gentlemen—at least, outside of official circles.

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